



# भारत का राजपत्र

## The Gazette of India

प्राधिकार से प्रकाशित  
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सं० 37]

नई दिल्ली, शनिवार, सितम्बर 11, 1965/भाद्र 20, 1887

No. 37]

NEW DELHI, SATURDAY, SEPTEMBER 11, 1965/BHADRA 20, 1887

इस भाग में भिन्न पृष्ठ संख्या दी जाती हैं जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed  
as a separate compilation

## नोटिस

## NOTICE

नीचे लिखे भारत के असाधारण राजपत्र 1 सितम्बर 1965 तक प्रकाशित किए गए।

The undermentioned Gazettes of India Extraordinary were published up to the 1st September, 1965:—

Issue No.	No. and Date	Issued by	Subject
198	S.O. 2690, dated 24th August, 1965.	Ministry of Commerce.	Draft notification regarding export of Zip Fasteners.
	S. O. 2691, dated 24th August, 1965.	Do.	Recognition of the Indian Standards Institution Certification Mark with respect to Zip Fasteners.
199	S. O. 2692, dated 24th August, 1965.	Do.	The Export of Zip Fasteners '(Inspection) Rules, 1965.
200	S.O. 2693, dated 25th August, 1965.	Ministry of Information and Broadcasting.	Approval of the films as specified therein.
201	S.O. 2694, dated 25th August, 1965.	Ministry of Commerce.	Draft notification regarding export of enamel ware.
	S.O. 2695, dated 25th August, 1965.	Do.	Recognition of the Indian Standards Institution Certification Mark with respect to enamel wares.
202	S.O. 2696, dated 25th August, 1965.	Do.	The Export of Enamel Wares (Inspection) Rules, 1965.

Issue No.	No. and Date	Issued by	Subject
203	S.O. 2697, dated 26th August, 1965.	Ministry of Industry and Supply.	The Scooters (Distribution and Sale) Control (Fourth Amendment) Order, 1965.
	S.O. 2698, dated 26th August, 1965.	Do.	The Motor Cars (Distribution and Sale) Control (Third Amendment) Order, 1965.
	S.O. 2699, dated 26th August, 1965.	Do.	The Commercial Vehicles (Distribution and Sale) Control (Third Amendment) Order, 1965.
204	S.O. 2700, dated 27th August, 1965.	Ministry of Food & Agriculture.	Delegation of powers under the Essential Commodities Act, 1955 in relation to the prices, stocks and transport of grass and hay to the collector of Vidisha district of Madhya Pradesh.
205	S.O. 2701/ESS.COMM/Iron and Steel 15 (I) and 27 (I), dated 28th August, 1965.	Ministry of Steel & Mines.	Notification regarding the supply of imported steel of various categories as mentioned therein.
206	S.O. 2702, dated 28th August, 1965.	Do.	Amendment to notification No. S.O. 1732, dated 1st June, 1965.
207	S.O. 2703, dated 28th August, 1965.	Ministry of Commerce.	Further amendment to the Exports (Control) Order, 1962.
208	S. O. 2704, dated 28th August, 1965.	Central Board of Direct Taxes.	The Income-tax (Seventh Amendment) Rules, 1965.
209	S. O. 2705, dated 31st August, 1965.	Ministry of Finance.	Appointing Shri B. Sen, Collector of Customs, Madras as Collector of Central Excise Madras.
210	S. O. 2706, dated 31st August, 1965.	Ministry of Information and Broad-casting.	Approval of Films as specified therein.
211	S. O. 2786, dated 1st September, 1965.	Ministry of Food and Agriculture.	Delegation of powers under the Essential Commodities Act, 1955 in relation to the prices, stocks and transport of grass and hay to the rest of the Collectors of Districts of the State of Madhya Pradesh.

ऊपर लिखे असाधारण गजटों की प्रतियाँ प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुँच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II—खण्ड 3---उपखण्ड (ii)

**PART II—Section 3—Sub-section (ii)**

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएँ।

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).**

**ELECTION COMMISSION, INDIA**

*New Delhi, the 4th September 1965*

**S.O. 2793.**—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Mysore, hereby nominates Shri H. Mahardraiah as the Chief Electoral Officer for the State of Mysore with effect from the date he takes over charge and until further orders *vice* Syed Murshed Peer.

[No. 154/9/65.]

By Order,

PRAKASH NARAIN, Secy.

**MINISTRY OF FINANCE**

**(Department of Economic Affairs)**

*New Delhi, the 1st September 1965*

**S.O. 2794.**—In pursuance of clause (d) of sub-section (1) of section 19 of the State Bank of India Act, 1955 (23 of 1955), the Central Government, in consultation with the Reserve Bank of India, hereby nominates Shri P. A. Menon, I.C.S. (Retired), 4A, Tank Bund Road, Nungambakkam, Madras as a director of the Central Board of the State Bank of India.

[No. F. 8/61/65-SB.]

*New Delhi, the 2nd September 1965*

**S.O. 2795.**—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 10(1) (b) (i) (in so far as they relate to the employment of any person who has compounded with his creditors) and section 10(1) (c) (i) of the said Act shall not apply to the Commercial Bank of India Ltd., Delhi till the 31st December 1965.

[No. F. 15(19)-BC/65.]

P. C. TEWARI, Under Secy.

## (Department of Economic Affairs)

New Delhi, the 2nd September 1965

S.O. 2796.—Statement of the Affairs of the Reserve Bank of India, as on the 27th August, 1965.

## BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid up . . . . .	5,00,00,000	Notes . . . . .	46,89,68,000
Reserve Fund . . . . .	80,00,00,000	Rupee Coin . . . . .	10,45,000
National Agricultural Credit (Long Term Operations) Fund . . . . .	100,00,00,000	Small Coin . . . . .	4,52,000
National Agricultural Credit (Stabilisa- tion) Fund . . . . .	10,00,00,000	Bills Purchased and Discounted :—	
National Industrial Credit (Long Term Opera- tions) Fund . . . . .	15,00,00,000	(a) Internal . . . . .	..
Deposits:—		(b) External . . . . .	..
(a) Government		(c) Government Treasury Bills . . . . .	112,95,52,000
(i) Central Governments . . . . .	94,91,33,000	Balances Held Abroad* . . . . .	8,40,11,000
(ii) State Governments . . . . .	13,23,71,000	Investments** . . . . .	228,78,95,000
		Loans and Advances to :—	
		(i) Central Government	
		(ii) State Governments @ . . . . .	70,12,44,000
		Loans and Advances to :—	
		(i) Scheduled Banks† . . . . .	9,81,20,000
		(ii) State Co-operative Banks†† . . . . .	155,18,68,000
		(iii) Others . . . . .	3,09,76,000
		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	

LIABILITIES	Rs.	ASSETS	Rs.
(b) Banks		(a) Loans and Advances to :—	
(i) Scheduled Banks†	101,93,83,000	(i) State Governments . . . . .	30,02,92,000
(ii) State Co-operative Banks	4,63,20,000	(ii) State Co-operative Banks . . . . .	13,63,37,000
(iii) Other Banks	2,68,000	(iii) Central Land Mortgage Banks . . . . .	..
		(b) Investment in Central Land Mortgage Bank Debentures . . . . .	4,62,91,000
		Loans and Advances from National Agricultural Credit (Stabilisation) Fund	
(c) Others	229,47,92,000	Loans and Advances to State Co-operative Banks . . . . .	
Bills Payable	29,71,65,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund	
Other Liabilities	33,60,26,000	(a) Loans and Advances to the Development Bank . . . . .	2,17,34,000
		(b) Investment in bonds/debentures issued by the Development Bank . . . . .	..
		Other Assets . . . . .	31,66,73,000
	Rupees 717,54,58,000		Rupees 717,54,58,000

\*Includes Cash and Short-term Securities.

\*\*Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. NIL advanced to scheduled banks against usance bills under Section 17(4) (c) of the R. B. I. Act.

††Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 1st day of September, 1965.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 27th day of August, 1965

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department.	46,89,68,000		Gold Coin and Bullion :—		
			(a) Held in India . . . .	133,75,66,000	
Notes in circulation . . . .	2538,62,72,000		(b) Held outside India . . . .	..	
Total Notes issued . . . .		2585,52,40,000	Foreign Securities . . . .	68,35,13,000	
			TOTAL . . . .		202,10,79,000
			Rupee Coin . . . .		103,69,21,000
			Government of India Rupee Securities		2279,72,40,000
			Internal Bills of Exchange and other commercial paper . . . .		..
TOTAL LIABILITIES		2585,52,40,000	TOTAL ASSETS . . . .		2585,52,40,000

P. C. BHATTACHARYYA,  
GOVERNOR.

Dated the 1st day of September, 1965.

[No. P.3(a)-BC/65.]

R. K. SESHADRI, Director (Banking).

CORRIGENDUM

In the statement of the Affairs of Reserve Bank of India, Banking Department as on 30th July 1965 published in the Gazette of India, dated 14th August 1965, Part II, Section 3(ii) on page 2729, on the Assets Side for Rs. 36,55,72,000/- against "Other Assets" read Rs. 36,55,70,000/-.

**(Department of Economic Affairs)**

*New Delhi, the 11th September 1965*

**S.O. 2797.**—In exercise of the powers conferred by section 7 of the Finance Commission (Miscellaneous Provisions) Act, 1951 (33 of 1951), the Central Government hereby makes the following rules further to amend the Finance Commission (Salaries and Allowances) Rules, 1951, issued under the Government of India notification No. 1003-BII/51, dated the 3rd November, 1951, namely:—

1. These rules may be called the Finance Commission (Salaries and Allowances) Amendment Rules, 1965.

2. In the Finance Commission (Salaries and Allowances) Rules, 1951, for sub-rule (4) of rule 3, the following sub-rule shall be substituted, namely:—

“(4) A person, not being a Government servant or a servant of the Reserve Bank, appointed to render part-time service as a Member of the Commission, shall draw tour allowance of—

- (a) Rs. 60/- per day for the period spent by him on duty as a Member of the Commission at Delhi, and
- (b) Rs. 50/- per day for the period spent by him on such duty elsewhere, and he shall further be entitled to draw travelling allowance (but not daily allowance) for journeys performed by him as such Member at rates admissible to a Government servant of the First Grade.”

This notification shall be deemed to have come into force on the 18th day of May, 1964.

[No. F. 13(4)-B/64.]

A. R. SHIRALI, Jt. Secy.

**(Department of Economic Affairs)**

**(Department of Company Affairs & Insurance)**

*New Delhi, the 4th September 1965*

**S.O. 2798.**—The following amendment to the Articles of Association of the Bangalore Stock Exchange Ltd., Bangalore, made by the Bangalore Stock Exchange Ltd., Bangalore, in exercise of the powers conferred by sub-section (1) of section 7A of the Securities Contracts (Regulation) Act, 1956, (42 of 1956), is published by the Central Government, the same having been approved by that Government, as required by sub-section (2) of section 7A of the said Act, namely:—

In the Articles of Association of the Bangalore Stock Exchange Ltd., Bangalore, after Article 49, the following Article shall be inserted namely:—

- “49A. (i) Every member shall have, subject to restrictions set out herein below, one vote whether on a show of hands or on a poll irrespective of his share of the paid-up equity capital of the Exchange, except that in the case of an equality of votes, whether on a show of hands or on a poll, the Chairman of the meeting at which the show of hands takes place, or at which the poll is demanded, shall be entitled to a second vote.
- (ii) No member shall be entitled to appoint another person who is not a member as his proxy to attend and vote at a meeting of the Exchange.
- (iii) In the case of a poll, the member who holds proxies in his favour shall be entitled to receive such number of voting papers as the number of proxies he holds in addition to the voting paper for which he is entitled to as a member.”

[No. F. 6/1/SE/65.]

S. S. SHARMA, Under Secy.

(Department of Economic Affairs)  
(Office of the Controller of Capital Issues)

CORRIGENDUM

New Delhi, the 2nd September 1965

S.O. 2799.—In Notification published on page 2961, Part II Section 3, Sub-section (ii) of the Gazette of India, dated the 28th August, 1965 as S.O. 2882—

For 'Promissory Notes'

Read 'Bonds'

AND

For \$ 5,000,000 (Fifty Million Dollars)

Read \$ 50,000,000 (Fifty Million Dollars)

[No. R. 225-CCI/65.]

M. K. VENKATACHALAM,  
Controller of Capital Issues.

(Department of Revenue)

INCOME-TAX

New Delhi, the 30th August 1965

S.O. 2800.—In exercise of the powers conferred by sub-section (6) of section 86 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies Sri Lakshmi Narasimha Swamy Devasthanam, Ahobilam Village, Allagadda Taluk, District Kurnoor, Andhra Pradesh, to be of historic, archaeological and artistic importance for the purpose of the said section.

[No. 77-F. No. 16/24/65-IT(AI).]

G. R. DESAI, Dy. Secy.

(Department of Company Affairs & Insurance)

New Delhi, the 30th August 1965

S.O. 2801.—In exercise of the powers conferred by section 248 of the Indian Companies Act, 1913 (7 of 1913), the Central Government hereby directs that there shall be an office at Shillong for the registration of companies under the said Act in the Kohima and Mokochung Districts of the State of Nagaland and hereby appoints the Registrar of Companies, Assam, as *ex-officio* Registrar of Companies for registration of Companies in the said districts.

[No. 2/35/63-Admn. II]

K. C. CHAND, Under Secy.

वित्त मंत्रालय

(समवाय तथा बीमा विभाग)

नई दिल्ली, 30 अगस्त, 1965

सं० प्रो० 2802—भारतीय समवाय अधिनियम, 1913 (1913 का 7) की धारा 248 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश करती है कि उक्त अधिनियम के अन्तर्गत नागालैंड राज्य के कोहिमा और मोकोचुंग जिले में कम्पनियों के पंजीयन के लिये शिलॉंग में एक कार्यालय होगा और साथ ही वह (केन्द्रीय सरकार) समवाय पंजीयक आसाम को उन जिलों में कम्पनियों के पंजीयन के लिये पदेन समवाय पंजीयक नियुक्त करती है।

के० सी० चान्द ।

अवर सचिव ।



**CENTRAL BOARD OF DIRECT TAXES**

**INCOME-TAX**

*New Delhi, the 31st August 1965*

**S.O. 2803**—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby directs that in its Notification No. 20 (F. No. 55/1/62-IT) dated the 30th April, 1963 published as S.O. 1293 on pages 1454-1457 of the Gazette of India Part II Section 3 sub-section (ii) dated the 11th May, 1963 as amended from time to time :—

Existing entries under columns (1), (2) and (3) against S. No. 2 shall be substituted by the following entries:—

Income-tax Commissioner (1)	Headquarters (2)	Jurisdiction (3)
2. Andhra Pradesh	Hyderabad	State of Andhra Pradesh and the Union Territory of Yanam excluding Central Circle, Hyderabad.

This Notification shall take effect from the 1st September, 1965.

[No. 78 (F. No. 55/143/65-IT).]

**S.O. 2804**—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 20 (F. No. 55/1/62-IT) dated 30th April, 1963 published as S.O. 1293 on pages 1454-1457 of the Gazette of India Part II Section 3 sub-section (ii) dated the 11th May, 1963, as amended from time to time :—

I. Existing entries under columns (1), (2) and (3) against S. No. 7A shall be substituted by the following entries :—

Income-tax Commissioner (1)	Headquarters (2)	Jurisdiction (3)
7A. Delhi (Central)	New Delhi	1. Central Circles I to V at Delhi. 2. Central Circles I & II at Jaipur. 3. Central Circle, Ambala. 4. Central Circle Ludhiana.

II. After the existing S. No. 14, the following shall be added :

14A. Rajasthan	Jaipur	State of Rajasthan excluding Central Circles I & II at Jaipur.
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This notification shall take effect from the 1st September, 1965.

**Explanatory Note:**

This notification has been issued on account of the creation of one more Commissioner<sup>r</sup> charge for Rajasthan separately.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 79 (F. No. 55/256/65-IT).]

**S.O.2805.**—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 20 (F. No. 55/1/62-IT) dated 30th April, 1963 published as S.O. 1293 on pages 1454-1457 of the Gazette of India Part II Section 3 sub-section (ii) dated the 11th May, 1963, as amended from time to time :—

Existing entries under columns (1), (2) and (3) against S. Nos. 9 and 9A shall be substituted by the following entries:—

Income-tax Commissioners	Headquarters	Jurisdiction
(1)	(2)	(3)
9. Madras-I . . . . .	Madras . . . . .	<ol style="list-style-type: none"> <li>1. City Circle I, Madras.</li> <li>2. City Circle III, Madras.</li> <li>3. City Circle IV, Madras.</li> <li>4. City Circle V, Madras.</li> <li>5. Tax Recovery Circle, Madras.</li> <li>6. Circle I, Salem.</li> <li>7. Circle II, Salem.</li> <li>8. Vellore.</li> <li>9. Kancheepuram</li> <li>10. Madurai.</li> <li>11. Special Survey Circle, Madurai.</li> <li>12. Virudhunagar.</li> <li>13. Tirunelveli.</li> <li>14. Tuticorin.</li> <li>15. Nagercoil.</li> <li>16. Estate Duty-cum-Income-tax Circle, Madras.</li> <li>17. Estate Duty-cum-Income-tax Circle, Thanjavur.</li> <li>18. Estate Duty-cum-Income-tax Circle, Madurai.</li> <li>19. Estate Duty-cum-Income-tax Circle, Coimbatore</li> </ol>
9A. Madras (Central) . . . . .	Madras . . . . .	<ol style="list-style-type: none"> <li>1. Central Circles I to VI at Madras.</li> <li>2. Central Circles I and II at Coimbatore.</li> <li>3. Central Circles I &amp; II at Bangalore.</li> <li>4. Central Circle, Trichur.</li> <li>5. Central Circle, Hyderabad.</li> </ol>
9B. Madras -II . . . . .	Madras . . . . .	<ol style="list-style-type: none"> <li>1. City Circle II, Madras.</li> <li>2. Salaries Circle I, Madras.</li> <li>3. Salaries Circle II, Madras.</li> <li>4. Special Survey Circle, Madras.</li> <li>5. Foreign Section, Madras.</li> <li>6. Cuddalore.</li> <li>7. Pondicherry.</li> <li>8. Tiruchirapalli.</li> <li>9. Erode.</li> <li>10. Dindigul.</li> <li>11. Karaikudi.</li> <li>12. Nagapattinam.</li> <li>13. Pudukottai.</li> <li>14. Thanjavur.</li> <li>15. Circle I, Coimbatore.</li> <li>16. Circle II, Coimbatore.</li> <li>17. Ootacamund.</li> <li>18. Pollachi.</li> <li>19. Tiruppur.</li> </ol>

This Notification shall take effect from the 1st September, 1965.

**Explanatory Note:**

This Notification has been issued on account of the creation of one more Commissioner's charge in Madras.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 80 (F. No. 55/249/65/IT).]

G. M. KULKARNI, Under Secy.

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**CORRIGENDUM**

*New Delhi, the 2nd September 1965*

**S.O. 2806.**—In the Board's Notification No. 70, dated the 11th August, 1965, published in Part II, Section 3(ii) of the Gazette of India as S.O. No. 2606, dated the 21st August, 1965:—

- (a) against A-Range, New Delhi, under column 2, at S. No. 2 after VI add "VIII and IX".
- (b) against F-Range, New Delhi, under column 2, at S. No. 2 delete "B-VII, B-VII(I)".

[No. 81 (F.No. 50/10/64-ITJ).]

P. G. GANDHI, Under Secy.

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**MINISTRY OF COMMERCE**

**(Import Trade Control)**

**ORDER**

*New Delhi, the 31st August 1965*

**S.O. 2807.**—In exercise of the powers conferred by Section 3 of Imports and Exports Control Act, 1947 (18 of 1947), the Central Government hereby makes the following order further to amend the Import (Control) Order, 1955, namely:—

1. This Order may be called the Import (Control) Sixth Amendment Order, 1965.
2. Schedule III Application Fees—appended to the Import (Control) Order, 1955. In para 2(i) of the Note thereto after the words "Import licence application fees" subordinate to the major head XXXII Miscellaneous Social & Developmental add the following:—

"Import & Export Trade Control Organisation".

[No. 8/65.]

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**(Export Trade Control)**

**ORDER**

*New Delhi, the 11th September 1965*

**S.O. 2808.**—In exercise of the powers conferred by Section 3 of the Imports and Exports (Control) Act, 1947 (18 of 1947), the Central Government hereby makes the following further amendment to the Exports (Control) Order, 1962, namely:—

In Part B of Schedule I to the said Order, after entry (q) of item 1(iii), the following entry shall be inserted:—

"(r) Slender Loris and Slow Loris."

[No. E(C)O, 1962/AM(85).]

P. SABANAYAGAM,

Chief Controller of Imports & Exports.

**(Office of the Chief Controller of Imports and Exports)  
(Central Licensing Area)**

**ORDER**

*New Delhi, the 10th August 1965*

**S.O. 2809.**—Whereas Messrs Bartan Nirman Sahkari Samiti Ltd., Shamsabad (Allahabad) or any bank or any other person have not come forward furnishing sufficient cause, against Notice No. JCC.I/I(CLA)/318/63/2435, dated 3rd October 1964 proposing to cancel licence Nos. (1) A572539/62/AU/D, dated 12th February 1963 valued at Rs. 1000/- and (2) A570640/62/AU/D, dated 27th February 1963 for Rs. 1200/- for import of German Silver Scrap granted to said M/s Bartan Nirman Sahkari Samiti Ltd., Shamsabad (Allahabad) by the Deputy Chief Controller of Imports & Exports (Central Licensing Area) New Delhi, Government of India in the Ministry of Commerce in exercise of the powers conferred by clause 9 of the Import (Control) Order 1965, hereby cancel the said licences issued to M/s Bartan Nirman Sahkari Samiti Ltd., Shamsabad (Allahabad).

[No. JCC.I/I(CLA)/318/63/972.]

S. K. SEN,

Jt. Chief Controller of Imports & Exports.

**MINISTRY OF HEALTH**

**ORDER**

*New Delhi, the 31st August 1965*

**S.O. 2810.**—Whereas the Government of India in the Ministry of Health has, by notification No. 16-6/61-MI, dated the 22nd July, 1961 made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "Candidates Medicine (University of Oslo, Norway)" for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby specifies the period of two years with effect from the date of this order or so long as Dr. Bjern Haivik who possesses the said qualification, continues to work in the Sevapur Hospital, Dingdinge, to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Bjern Haivik shall be limited.

[No. F. 18-29/65-MPT.]

B. B. L. BHARADWAJ, Under Secy.

**MINISTRY OF TRANSPORT**

**(Transport Wing)**

**LIGHTHOUSES AND LIGHTSHIPS**

*New Delhi, the 31st August 1965*

**S.O. 2811.**—In pursuance of sub-section (1) of section 4 of the Indian Lighthouse Act, 1927 (17 of 1927), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Transport No. S.O. 505, dated the 30th January, 1965 constituting the Central Advisory Committee for Lighthouses, namely:—

In the said notification,

for the entry "Chairman—Minister of Transport" the entry "Chairman—Secretary, Ministry of Transport" shall be substituted.

[No. 4-ML(4)/65.]

B. P. SRIVASTAVA, Dy. Secy.

## (Transport Wing)

## MERCHANTILE MARINE

New Delhi, the 21st August 1965

S.O. 2812.—In exercise of the powers conferred by sub-section (1) of section 15 of the Merchant Shipping Act, 1958 (44 of 1958), read with rule 3 of the Shipping Development Fund Committee (General) Rules, 1960, the Central Government hereby appoints Shri P. N. Jain, Joint Secretary to the Government of India, Ministry of Finance as member of the Shipping Development Fund Committee in place of Shri R. S. Gupta, Joint Secretary to the Government of India in the Ministry of Finance with effect from the 16th August, 1965 and makes the following further amendment in the notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) (Transport Wing) No. 33-MS(222)/58-II, dated the 17th March, 1959, namely:—

In the said notification, for the existing entries against serial No. 2, the following entries shall be substituted, namely:—

S. No.	Name of the Member	Date of appointment
2.	Shri P. N. Jain, Joint Secretary to the Government of India, Ministry of Finance.	16-8-1965

[No. 35-MD(3)/65.]

JASWANT SINGH, Under Secy.

## परिवहन मंत्रालय

## (परिवहन पक्ष)

नई दिल्ली, 25 मई, 1965

एस० नो० 2813.—अन्तर्राष्ट्रीय परिवहन आयोग नियम 1960 के नियम 3 के उप नियम (3) के साथ पठित मोटर गाड़ी अधिनियम, 1939 (1939 का 4) की धारा 63 ए० की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करत हुए केन्द्रीय सरकार श्री ए० एस० भटनागर, उप सचिव, परिवहन मंत्रालय को श्री के० श्रीनिवासन कथान या अन्तर्राष्ट्रीय परिवहन आयोग का सदस्य नियुक्त करती है और भारत सरकार के परिवहन तथा संचार मंत्रालय, परिवहन विभाग की अधिसूचना संख्या 11 आई० एस० टी० सी० (1)/58, दिनांक 14 अगस्त, 1953 में निम्न संशोधन करती है अर्थात् :—

उक्त अधिसूचना में मद (बी०) की उपमद (1) के स्थान में निम्न उपमद रखी जायगी, अर्थात् :—

“(1) श्री० ए० एस० भटनागर, उप सचिव, परिवहन मंत्रालय” ।

[संख्या 23/टी० (16)/64.]

आर० के० जर्मी, अव्वर सचिव ।

# MINISTRY OF WORKS AND HOUSING

New Delhi, the 28th August 1965

**S.O. 2814.**—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), the Central Government hereby appoints the officer mentioned in column 1 of the table below, being gazetted officer of Government, to be estate officer for the purposes of the said Act who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of their respective jurisdiction in respect of the public premises specified in the corresponding entries in column 2 of the said table.

THE TABLE

Designation of officers	Categories of public premises and local limits of jurisdiction
1	2
Officer-in-charge, Estate Administration, of a rank of Manager, Deputy Manager or Assistant Manager, Administration, Ordnance Factory, Varanasi.	Premises under the administrative control of the Ministry of Defence situated within the local limits of jurisdiction of Ordnance Factory, Varanasi.

[No. 32/12/65-Acc.II.]

B. M. LAL, Under Secy.

## DEPARTMENT OF SOCIAL SECURITY

New Delhi, the 4th September 1965

**S.O. 2815.**—In exercise of the powers conferred by sub-paragraph (1) of paragraph 22 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints the Regional Provident Fund Commissioner, Madhya Pradesh, as the Secretary of the Regional Committee for the State of Madhya Pradesh set up under the notification of the Government of India in the Department of Social Security No. S.O. 433, dated the 23rd January, 1965.

[No. 12/1/64-PF.II.]

**S.O. 2816.**—In exercise of the powers conferred by sub-paragraph (1) of paragraph 22 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints the Regional Provident Fund Commissioner, Andhra Pradesh, as the Secretary of the Regional Committee for the State of Andhra Pradesh set up under the notification of the Government of India in the Department of Social Security No. S.O. 1294, dated the 8th April, 1965, published in Part II, Section 3(ii) of the Gazette of India dated 24th April, 1965.

[No. PF. II-10(3)(I)/59.]

**S.O. 2817.**—In exercise of the powers conferred by sub-paragraph (1) of paragraph 22 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints the Regional Provident Funds Commissioner, Orissa, as the Secretary of the Regional Committee for the State of Orissa set up under the notification of the Government of India in the Department of Social Security No. S.O. 1295 dated the 9th April, 1965, published in Part II, Section 3(ii) of the Gazette of India dated 24th April, 1965.

[No. PF. II-10(3)(II)/59.]

**S.O. 2818.**—In exercise of the powers conferred by sub-paragraph (1) of paragraph 22 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints the Regional Provident Fund Commissioner, Gujarat, as the Secretary of the Regional Committee for the State of Gujarat set up under the notification of the Government of India in the Department of Social Security No. S.O. 1721, dated the 18th May, 1965, published in Part II, section 3(iii) of the Gazette of India, dated the 29th May, 1965.

[No. PF. II-10(3)(III)/59.]

DALJIT SINGH, Under Secy.

## MINISTRY OF INDUSTRY AND SUPPLY

(Department of Industry)

(INDIAN STANDARDS INSTITUTION)

*New Delhi, the 30th August, 1965*

**S.O. 2819**—In pursuance of sub-regulation (1) of regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed, have been cancelled.

## THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard cancelled	No. and Date of the Gazette in which Establishment of the Indian Standard was notified	Notification in
1	IS : 2040-1962 Specification for steel bars for stays	S.O. 1998 dated 21 June 1962 published in the Gazette of India, Part II, Section 3 (ii) dated 30 June 1962.	
2	IS : 2651-1964 Specification for cotton webbing, dyed for aircraft safety belts and harnesses.	S. O. 2595 dated 16 July 1964 published in the Gazette of India, Part II, Section 3 (ii) dated 1 August 1964.	

[No. MD/13:7]

*New Delhi, the 3rd September 1965*

**S.O. 2820**—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed, have been established during the period 16 to 31 August 1965.

## THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
1	2	3	4
1	IS : 296-1965 Specification for sodium carbonate, anhydrous ( <i>revised</i> )	IS : 296-1951 Specification for anhydrous sodium carbonate, pure and analytical reagent	This standard prescribes the requirements and the methods of test for sodium carbonate, anhydrous—(Price Rs. 4.50)
2	IS : 508-1965 Specification for grease, graphited ( <i>revised</i> )	IS 504-1953 Specification for grease, L. No. 3, graphited	This standard prescribes the requirements and the methods of test for grease, graphited—(Price Re.1.00).
3	IS : 853-1964 Specification for bone-meal, raw ( <i>revised</i> ).	IS : 853-1956 Specification for bone-meal raw	This standard prescribes the requirements for bone-meal, raw used as a fertilizer—(Price Rs. 3.00).

1	2	3	4
4	IS : 1113-1965 Specification for ammonium chloride, technical and pure( <i>revised</i> )	IS : 1113-1957 Specification for ammonium chloride pure	This standard prescribes the requirements and the methods of test for ammonium chloride technical and pure, intended for use in soda ash industry, fermentation, soldering, galvanizing, tinning trades, dry cells and cosmetics—(Price Rs. 3.50)
5	IS : 1238-1964 Specification for hurricane lanterns ( <i>revised</i> )	IS : 1238-1958 Specification for hurricane lanterns	This standard covers the requirements for cold-blast-storm-proof hurricane lanterns complete with globe and wick, burning kerosene from the wick at atmospheric pressure—(Price Rs. 4.50).
6	IS : 2788-1964 Specification for gas mantles	..	This standard covers the requirements for 100, 200, 300, 350 and 400 candle gas mantles for oil pressure lanterns—(Price Re. 1.00)
7	IS : 2894-1965 Specification for wooden handles for wood working chisels and gouges	..	This standard covers the requirements of wooden handles for wood working chisels and gouges—(Price Re. 2.00)
8	IS : 2897-1965 Specification for wooden handles for shovels	..	This standard covers the requirements of wooden handles for shovels—(Price Rs. 1.00)
9	IS : 2927-1964 Specification for brazing alloys;	<div> IS 24-1956 Specification for brazing solder (<i>revised</i>) </div> <div> IS:192-1956 Specification for silver solder (<i>revised</i>) </div>	This standard covers seven types of brazing alloys employed in effecting a joint by the brazing process—(Price 4.50)
10	IS : 3040-1965 Specification for Indian kapok for stuffing purposes	..	This standard prescribes the requirements of three grades of India kapok intended for stuffing in life saving appliances and other general floatation purposes —(Price Re. 1.50)
11	IS : 3049-1965 Specification for vulcanized fibre silver cans for spinning mills	..	This standard prescribes the requirements for cylindrical silver cans with recessed base, made of vulcanized fibre, for use in spinning mills—(Price Rs. 2.00).
12	IS : 3051-1965 Dimensions for wrought copper and copper alloys plate	..	This standard lays down the dimensions and tolerances for wrought copper and copper alloys in the form of plate—(Price Re. 1.00).



1	2	3	4
13	IS : 3052-1964 Dimensions for wrought copper and copper alloys, sheet, strip and foil.	..	This standard lays down the dimensions and tolerances for wrought copper and copper alloys in the form of sheet, strip and foil—(Price Rs. 1.50).
14	IS : 3060-1965 Specification for pork sausages, canned.	..	This standard prescribes the requirements and the methods of test for pork sausages canned—(Price Rs. 2.50)
15	IS : 3074-1965 Specification for steel tubes for automotive purposes.	..	This standard covers the requirements for three types of steel tubes for use in automobiles including scooters and motorcycles, in sizes up to and including 114.3 mm outside diameter—(Price Rs. 2.00).
16	IS : 3081-1965 Dimensions and marking of general purposes microscopes.	..	This standard specifies the important dimensions for the ocular, body tube, objective, condensers, mirror and filters for general purposes microscopes and their marking—(Price Rs. 1.50).
17	IS : 3087-1965 Specification for wood particle boards (medium density) for general purposes.	..	This standard covers the material, methods of manufacture, grades, types, sizes, construction and finish of medium-density wood particle boards for general purposes— (Price Rs. 4.00).
18	IS : 3098-1965 Specification for oil, hydraulic, mineral oil type.	..	This standard prescribes the requirements and the methods of test for oil, hydraulic, mineral oil type, which is intended for use as a hydraulic fluid in machine tools and hydraulic presses—(Price Rs. 5.50)
19	IS : 3107-1965 Specification for portable multipurpose electrical indicating instruments.	..	This standard applies to portable multipurpose electrical indicating instruments used as test instruments—(Price Rs. 2.00)
20	IS : 3115-1965 Specification for lime-cement-cinder solid blocks.	..	This standard covers requirements for lime-cement-cinder solid blocks made from lime, portland cement and cinder for use in the construction of load bearing walls, internal partitions and filler walls—(Price Rs. 2.00)

1	2	3	4
21	IS : 3117-1965 Specification for bitumen emulsion for roads (anionic type)	..	This standard covers the physical and chemical requirements of bitumen emulsion (anionic type) for roads—(Price Rs. 4.50)
22	IS : 3118-1965 Specification for electric bacteriological incubators	..	This standard lays down the requirements and performance test of electrically heated incubators used in the laboratories for bacteriological and allied work (Price Rs. 2.00)
23	IS : 3120-1965 Specification for baby incubators	..	This standard lays down requirements for electrically heated incubators for use in hospitals for keeping prematurely born babies at a pre-determined temperature and humidity—(Price Rs. 2.00)
24	IS : 3123-1965 Specification for hydroxycitronellal	..	This standard prescribes the requirements and the methods of sampling and test for the material commercially known as hydroxycitronellal— (Price Re. 1.00).
25	IS : 3124-1965 Specification for terpineol.	..	This standard prescribes the requirements and the methods of sampling and test for terpineol as used in trade and industry— (Price Rs. 2.00)
26	IS : 3130-1965 Code of practice for storage and use of microfilms of permanent value	..	This code relates to storage and use of properly processed black and white films on cellulose acetate or polyester base with silver halide emulsion having a nitrogen content of not more than 0.15 per cent—(Price Re. 1.00)
27	IS : 3131-1965 Specification for musk ambrette	..	This standard prescribes the requirements and the methods of sampling and test for musk ambrette largely employed in compounding of sweet and heavy perfumes—(Price Rs. 1.50)
28	IS : 3132-1965 Recommendations for shaft diameters for chemical equipment.	..	This standard specifies the preferred diameters of shafts of stirrers, agitators and mixers used in chemical plant (Price Re. 1.00)
29	IS : 3133-1965 Specification for manhole and inspection openings for chemical equipment.	..	This standard covers manhole, handhole and inspection hole openings in chemical equipment and in mobile tanks for chemicals (Price Re. 1.00)

1	2	3	4
30	IS : 3135-1965 Specification for cathetometer	..	This standard specifies the requirements of cathetometers having a vertical scale and vernier with a fine adjustment and mainly used in the laboratory for measurement of distance between two points in a vertical plane with the help of a sighting telescope (Price Rs. 2.00)
31	IS : 3141-1965 Specification for starters for automobiles	..	This standard covers the basic mechanical and electrical requirements and methods of test for 6, 12, and 24-volt dc starters for automobiles (Price Rs. 1.50).

Copies of these Indian Standards are available, for sale, with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-1, and also its branch offices at (i) Bombay Mutual Terrace, First Floor, 534 Sardar Vallabhabhai Patel Road, Bombay-7, (ii) Third and Fourth Floors, 5 Chowringhee Approach, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan, 54 General Patters Road, Madras-2, and (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:2]

**S. O. 2821.**—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard(s) given in the Schedule hereto annexed, have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

# THE SCHEDULE

Serial No.	No. and title of the amended	Indian Standard	No. and date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and Date of the Amendment	Brief particulars of the Amendment	Date from which the Amendment shall have effect
1	2	3	4	5	6	
1	IS : 252-1962 Specification for caustic soda, technical ( <i>revised</i> )	S.O. 3226 dated 27 October 1962	No. 1 June 1965	Clause B-3.3.1.2, line 1— <i>Substitute</i> '25 g' for '10 g'.	15 September 1965	
2	IS : 390-1952 Method for spray test for estimating the water repellency of water-resistant fabrics (permeable to air)	S.R.O. 658 dated 26 March 1955	No. 1 June 1965	The existing values appearing in the standards have been substituted by metric values		
3	IS : 391-1952 Method for measuring resistance to penetration by water of water-resistant fabrics (permeable to air)	S.R.O. 658 dated 26 March 1955	No. 1 June 1965			
4	IS : 412-1962 Specification for expanded metal steel sheets for general purposes ( <i>revised</i> )	S.O. 2838 dated 15 September 1962	No. 1 June 1965	Clause 3.3.1.1 has been amended		
5	IS : 564-1961 Specification for DDT dusting powders ( <i>revised</i> )	S.O. 1919 dated 23 June 1962	No. 2 August 1965	Tables I and III have been amended	Immediate effect	
6	IS : 876-1961 Specification for wood poles for overhead power and telecommunication lines ( <i>revised</i> )	S.O. 1267 dated 28 April 1962	No. 1 May 1965	Equation under clause E-2.8 (c) has been substituted by a new one		
7	IS : 965-1963 Equivalent metric units for scales, dimensions and quantities in general construction work ( <i>revised</i> )	S.O. 1373 dated 18 April 1964	No. 1 April 1965	Clauses 5.5, 5.7 and items 7 and 8 have been amended		
8	IS : 1169-1957 Specification for pedestal type electric fans	S.O. 1349 dated 12 July 1958	No. 3 June 1965	The existing values appearing in the standard have been substituted by metric values		

9	IS : 1190-1957 Specification for twin wire halds for use in cotton and silk weaving (excluding jacquard and fancy weaving)	S.O. 1349 dated 12 July 1958	No. 2 June 1965	(i) Clause 2.1 and item 3 have been substituted by new ones (ii) Clause B. 1.1, line 2—Substitute '3.3.' for '3.2 or 3.3.3' (iii) Clauses B-2.6 and B-2.7 have been substituted by new ones and redesignated as B-2.5.1 and B-2.6 respectively. (iv) A new clause B-3 has been added (i) The title, clauses 0.2, 1.1, 5.2 and Table I have been substituted by new ones. (ii) A new sub-clause 5.2.1 has been added and the existing clause 5.2.1 has been renumbered as 5.2.2 (iii) Clause B-5.1, line 3—Substitute '50cm (or 20 in)' for '60 cm (or 24 in)' (iv) New clauses 5.6, 5.6.1 and 5.6.1.1 have been added and the existing clauses 5.6 and 5.6.1 have been renumbered as 5.7 and 5.7.1 respectively.
10	IS : 1376-1959 Specification for cotton sewing thread, bleached, for aeronautical purposes.	S.O. 2834 dated 26 December 1959	No. 2 June 1965	
11	IS : 1536-1960 Centrifugally cast (spun) iron pressure pipes for water, gas and sewage	S.O. 100 dated 14 January, 1961	No. 1 June 1965	Table VI has been amended
12	IS : 1651-1960 Specification for stationary cells and batteries, lead-acid type with tubular positive plates)	S.O. 1633 dated 15 July 1961	No. 2 June 1965	Clause 3.2.1.1 has been substituted by a new one
13	IS : 1921-1961 Specification for rosin-cored solder wire, activated and non-activated (non-corrosive)	S.O. 1100 dated 14 April 1962	No. 1 February 1965	Clause A-1.2, line 2—Substitute '0.25 to 0.30 mm' for '0.025 to 0.030 mm'
14	IS : 1923-1963 Specification for cotton selvage tape for electrical insulation purposes (revised)	S.O. 1102 dated 28 March 1964	No. 2 May 1965	Clause C-4.1 line 2—Substitute 'log' for 'log'
15	IS : 2120-1963 Specification for 15-ampere tumbler switches (revised)	S.O. 1373 dated 18 April 1964	No. 1 June 1965	(i) For 'clause 6.12.1' under the designation of Appendix B substitute 'clause 6.12' (ii) Page 15, clause B-2.1, line 2—substitute the word 'of' for 'af'
16	IS : 2306-1963 Dimensions for gauge liits for ISO metric screw threads (1.6 to 39mm)	S.O. 1683 dated 22 June 1963	No. 1 June 1965	Table I has been amended

15 September  
1965

1	2	3	4	5	6
17	IS : 2500 (Part I) 1963 Sampling inspection tables Part I inspection by attributes and by count of defects.	S.O. 3329 dated 19 September 1964	No. 1 June 1965	(i) Page 9, example, 3 (i) informal table, under column heading 'Cumulative Sample Size'—Against the 'First Sample', substitute '80' for '160' (ii) Page 14, Table V—Delete the column heading 'ACCEPTANCE NUMBER (a)' from both the places where it occurs	

Copies of these amendment slips are available, free of cost, with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg New Delhi-1 and also its branch offices at (i) Bombay Mutual Terrace, First Floor, 534 Sardar Vallabhbhai Patel Road, Bombay-7, (ii) Third and Fourth Floors, 5 Chowringhee Approach, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan, 54 General Patters Road, Madras-2, and (iv) 14/69 Civil Lines of Kanpur.

[No. MD/13.5]

D. V. KARMARKAR,  
Joint Director (Marks.)

**MINISTRY OF REHABILITATION**

**(Office of the Chief Settlement Commissioner)**

*New Delhi, the 3rd August 1965*

**S.O. 2822.**—In exercise of the powers conferred by the Sub-Section (I) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the State of Rajasthan, Shri B. L. Juneja, Assistant Settlement Officer in the office of the Regional Settlement Commissioner, Jaipur, as Assistant Custodian for the purpose of discharging the duties imposed on Custodian by or under the said Act with effect from the forenoon of 28th July, 1965.

[No. 8/1/55/Comp.-I/ARG.]

**KANWAR BAHADUR,**

Settlement Commissioner (A) and  
*Ex-Officio* Dy. Secy.

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**MINISTRY OF EDUCATION**

**ARCHAEOLOGY**

*New Delhi, the 31st August 1965*

**S.O. 2823.**—Whereas by notification of the Government of India in the Ministry of Education No. F.4-8/65-C.1, dated the 19th May, 1965, published in Part II, Section 3, sub-section (ii) of the Gazette of India dated the 29th May, 1965, the Central Government gave notice of its intention to declare the archaeological site and remains specified in the Schedule below to be of national importance.

And whereas no objections have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said archaeological site and remains to be of national importance.

## THE SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of site and remains	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Mysore	Mandya	Srirangapatna	Srirangapatna	Ancient Palace site and remains comprised in survey plot Nos. 45, 46, 47 and 48.	Survey plot Nos. 45, 46, 47 and 48.	3 acres and 35 cents.	<p>North :—Rampart road.</p> <p>East :—Survey plot No. 59]</p> <p>South :—Road</p> <p>West :—Road</p>	Survey plot No. 47 is private land and the remaining area is Government owned.	

[No. F. 4-8/65-C.1]



*New Delhi, the 3rd September 1965*

**S.O. 2824.**—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

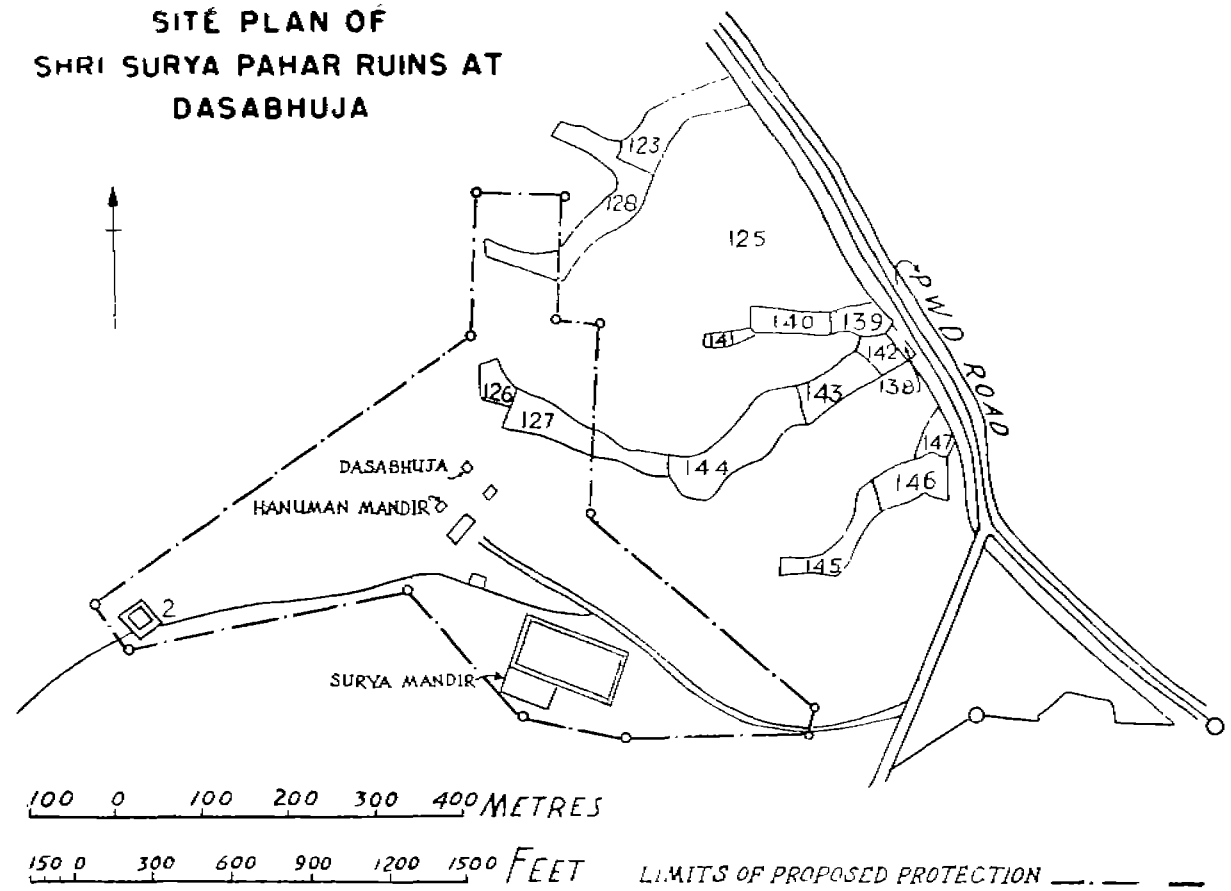
Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

THE SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be included under protection.	Area	Boundaries	Ownership	Remarks
I	2	3	4	5	6	7	8	9	10	11
1	Assam	Goalpara	Matia	Dasabhnja Devasthan	Shri Surya Pahar Ruins together with adjacent land comprised in survey plot No. 126 and part of Survey plot Nos. 125, 127 and 128.	Survey plot No. 126 and part of survey plot Nos. 125, 127 and 128 as shown in the plan reproduced below.	138 Bighas 3 Kathas and 12 Lassas.	<p><i>North</i> :—Remaining portion of survey plot No. 125</p> <p><i>East</i> :—Remaining portion of survey plot No. 125, 127 and 128.</p> <p><i>South</i> :—Remaining portion of survey plot No. 125.</p> <p><i>West</i> :—Remaining portion of survey plot No. 125.</p>	Government except survey plot No. 127 which is private property.	Under Worship

# SITÉ PLAN OF SHRI SURYA PAHAR RUINS AT DASABHUJA



[No. F. 4-15/65.C.1.]

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**S.O. 2825.**—Whereas the Central Government is of opinion that the areas near or adjoining a protected monument and specified in the schedule attached hereto, be prohibited for purposes of mining operation or construction or both.

Now, therefore, in exercise of the powers conferred by rule 31 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, the Central Government hereby gives notice of its intention to declare the said area as prohibited.

Any objection made, within one month of the date of issue of this notification, by any person interested in the said area will be considered by the Central Government.

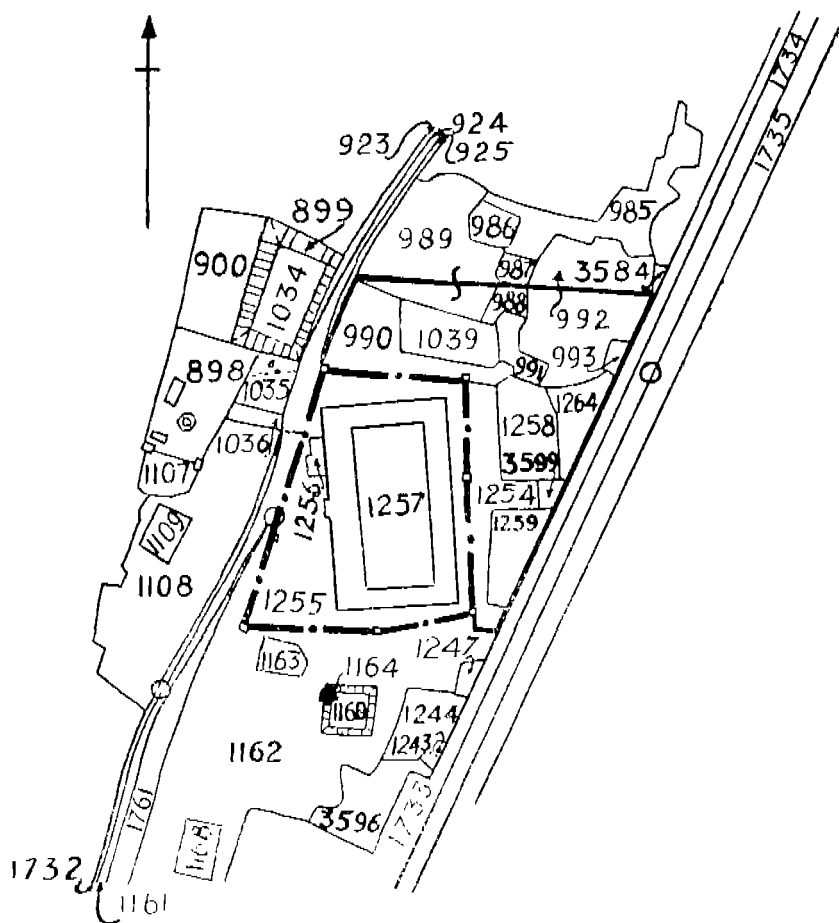
THE SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be declared prohibited	Area	Ownership	Details of modern structures, if any, in the area to be declared prohibited
1	2	3	4	5	6	7	8	9	10
1	West Bengal	Malda	Sadar P.S. Gazal	Adina	Adina Mosque	Survey plot No. 990, 1039, 988, 991, 993, 1264, 1258, 1254, 3599, 1259 part of survey Plot No. 989 and 992 as shown in the plan reproduced below.	7.26 acres.	Survey plot Nos. 990 & 1039 Government, owned and remaining under private ownership.	Nil.

# SITE PLAN OF ADINA MOSQUE AT ADINA

100 0 100 200 300 METRES

150 0 300 600 900 1200 FEET



PROTECTED AREA ————

PROPOSED PROHIBITED AREA ————

[No. F. 4-5/65-C.1.]

*New Delhi, the 4th September 1965*

**S.O. 2826.**—Whereas by notification of the Government of India in the Ministry of Education No. S.O. 904, dated the 4th March, 1965, published in Part II, Section 3, sub-section (ii) of the Gazette of India dated the 20th March, 1965, the Central Government gave notice of its intention to declare the ancient monument specified in the Schedule below to be of national importance.

And, whereas, no objections have been received to the making of such declaration.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said ancient monument to be of national importance.

## SCHEDULE

Serial No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Maharashtra	Kolaba	Panval	Gharanpuri	Ancient Brick Stupa at Elephanta Island together with adjacent land comprised in part of Survey Plot No. 67.	Part of Survey Plot No. 67. Gunthas as shown in the plan reproduced below.	36	<i>North:</i> Remaining portion of Survey plot No. 67 <i>East:</i> Remaining portion of Survey Plot No. 67. <i>South:</i> Remaining portion of Survey Plot No. 67. <i>West:</i> Remaining portion of Survey Plot No. 67.	State Government.	



# SITE PLAN OF ANCIENT STUPA AT ELEPHANTA ISLAND

10 0 10 20 30 METRES  
25 0 25 50 75 100 FEET



S. NO. 67

S. NO. 67

S. NO. 67

S. NO. 67

S. NO. 67

LIMITS OF PROPOSED PROTECTION

[No. F. 4-3/65-C.I.]  
SHARDA RAO (Mrs.),  
Asstt. Educational Adviser.

**MINISTRY OF LABOUR AND EMPLOYMENT**

*New Delhi, the 30th August 1965*

**S.O. 2827.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Parbelia Colliery of Messrs Bengal Coal Company Limited, P.O. Dishergarh, Burdwan and their workmen which was received by the Central Government on the 21st August, 1965.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT  
DHANBAD**

In the matter of a reference under Section 10(1)(d) of The Industrial Disputes Act, 1947.

REFERENCE No. 14 of 1963

**PARTIES:**

Employers in relation to the Parbelia Colliery of M/s. Bengal Coal Co. Ltd., P.O. Dishergarh, Dist., Burdwan.

AND

Their workmen

**PRESENT:**

Shri Raj Kishore Prasad, M.A., B.L.,—*Presiding Officer.*

**APPEARANCES:**

*For the Employers.*—Sarvashri D. Narsingh, Advocate and B. P. Kabi, Security Officer.

*For the Workmen.*—Sarvashri Keshab Banerjee, General Secretary, Colliery Mazdoor Union and L. P. Tripathy, Secretary, Parbelia Branch of the Union.

STATE: West Bengal.

INDUSTRY: Coal.

*Dhanbad, dated the 10th August, 1965*

**AWARD**

By its Order No. 8/9/63-LRII, dated 6th February, 1963, the Government of India, Ministry of Labour and Employment, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947, for adjudication to this Tribunal, an industrial dispute existing between the employers in relation to the Parbelia Colliery of Messrs Bengal Coal Co Ltd., P.O. Dishergarh, Burdwan, and their workmen in respect of the matter specified below:

**SCHEDULE**

“Whether the dismissal of the following workmen by the Management of the Parbelia Colliery from the 27th August, 1962, was legal and proper; if not, to what relief are the workmen entitled;

1. Hafiz Khan.
2. Parameswar Mahato.
3. Mosaheb Ram.
4. Bramdeo Singh.
5. Gonori Ram.
6. Panchkori Dhobi.
7. Jagdish Mahato.
8. Rahim Mia.
9. Sattar Mia.
10. Jagarnath Saw.
11. Lakhan Singh.
12. Bhola Mahato.
13. Bindheswari Singh.
14. Fazul Khan?”

2. To-day (10th August, 1965) Sarvashri D. Narsingh, Advocate, and B. P. Kabi, Security Officer of the Company, appeared on behalf of the Company, and Sarvashri Keshab Banerjee, General Secretary, Colliery Mazdoor Union and L. P. Tripathy, Secretary, Parbelia Branch of the said Union, appeared for the workmen concerned.

3. Both the parties filed a joint petition of compromise, dated the 10th August, 1965, signed by the aforesaid representatives of the parties and prayed that the compromise be recorded and an award in terms of it be passed.

4. I have read the terms of the compromise and I find that they are reasonable and in the interest of both parties and they are accepted and the compromise is recorded.

5. I therefore, answer the reference in terms of the compromise and an award in terms of the compromise, which is marked Annexure "A", is made and the said compromise is made a part of the award.

6. This is the award, which I make and submit to the Central Government under Section 15 of the Act.

DHANBAD,

Dated, the 10th August, 1965.

Sd./- RAJ KISHORE PRASAD,  
Presiding Officer,  
Central Government Industrial Tribunal,  
Dhanbad.

#### ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

REFERENCE No. 14 OF 1963.

#### PARTIES:

Employers in relation to the Parbelia Colliery,

AND

Their workmen.

#### Memorandum of Settlement

Without prejudice to the contentions of the respective parties made in their written statements before this Hon'ble Tribunal, the parties, herein concerned, have arrived at a mutual settlement of the dispute in the present proceedings in the following terms:—

1. That S/s (a) Brahmadeo Singh, Mechanical Fitter, (b) Parmeshwar Mahato, Pit Munchi and (c) Bindeshwari Singh, Loco Driver, will be reinstated in their former jobs within a fortnight from this date with continuity of service but without any wages for the period intervening between their dismissal and resumption of work. The said period shall be treated as leave without wages.

2. That if, however, the aforesaid three workmen notify to the management in writing within fifteen days from the date of this agreement that they do not wish to serve the Company any longer, the management shall pay them as *ex gratia* payment within a week from the date on which they so notify to the management, the amounts to which they would have been entitled if they had been retrenched from service from the date of the termination of their service.

3. That the remaining eleven workmen, namely, Sarvashree (1) Sattar Mia, Trammer, (2) Rahim Mia, Trammer, (3) Hafiz Khan, Trammer, (4) Fazlu Khan, Trammer, (5) Jagannath Sao, Trammer, (6) Ganouri Ram, Loader, (7) Jagdish Mahato, Wagon Loader, (8) Bhola Mahato, Wagon Loader, (9) Lakhan Singh, Machine Mazdoor, (10) Panchkouri Dhobi, Loader, and (11) Mosahib Ram, Loader, will be paid *ex gratia* payments equivalent to retrenchment compensation payable to them upto the date of the termination of their service.

4. That all the eleven workmen mentioned in para 3 and the three workmen referred to at para 1 above, if the latter opt for the *ex gratia* compensation within the specified time-limit, shall be treated as if they had been retrenched

without, however, any obligations on the management to re-employ them at any time in future.

5. That besides the aforesaid amounts, the management shall also pay to all the said 14 workmen all their legal dues to which they were entitled on the date of the termination of their service.

6. That the above payments shall be made within a fortnight from this date.

7. That the workmen and the Union on their behalf have no other claim against the management arising out of the present reference.

8. That the parties shall bear their own costs of the present proceedings.

9. The parties most respectfully pray that this Hon'ble Tribunal may be graciously pleased to give its award in the present reference in the above terms.

And for this the parties shall, as in duty bound, ever pray.

1. **Sd./- KASHAB BANERJEE,**  
10-8-1965.

General Secretary,  
Colliery Mazdoor Union  
for the Workmen.

**Sd./- L. P. TRIPATHI,**  
Secretary,  
Colliery Mazdoor Union  
(Branch-Parbelia)  
Dated 10-8-1965.

**Sd./- D. NARSINGH,**  
Advocate  
for the Employers  
Dated 10-8-1965.

**Sd./- B. P. KABI,**  
Security Officer.  
M/s. Bengal Coal Co. Ltd.,  
Dated 10-8-1965.

[No. 8/9/63-LRIL.]

**S.O. 2828.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers, in relation to the Newton Chickli Colliery, Post Office Parasia (Madhya Pradesh) and their workman which was received by the Central Government on the 21st August, 1965.

# BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

REFERENCE No. CGIT 78 of 1964

Employers in relation to Newton Chickly Colliery, P.O. Parasia (Madhya Pradesh).

AND  
Their workmen

## PRESENT:

Shri Salim M. Merchant,—*Presiding Officer.*

*For the Employers.*—Shri B. P. Dabral, Group Labour Officer.

*For the workmen.*—Shri A. R. Farooqui, President, Young India Khadan Mazdoor Trade Union and Vice-President, All India Khan Mazdoor Federation.

*Dated at Bombay this 16th day of August, 1965*

**INDUSTRY:** Coal Mining

**STATE:** Madhya Pradesh.

## AWARD

1. The Central Government, by the Ministry of Labour and Employment's Order No. 5/12/64 LR II dated 12th August, 1964, made in exercise of the powers conferred by clause (d) of sub-section 1 of section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947), was pleased to refer the industrial dispute between the parties above-named in respect of the subject matters specified in the following schedule to the said order, to me for adjudication:—

## SCHEDULE

“Whether the management of the Newton Chickli Colliery was justified in stopping Shri Sardoo, Tub Loader Mate, from work with effect from 1st November, 1963? If not, to what relief is the workman entitled?”

2. After the parties had filed their written statements, at the adjourned hearing of this dispute at Calcutta on 7th August, 1965, after some discussion the parties recorded a settlement, the terms of which have been signed by Shri B. P. Dabral, Group Labour Officer for the Newton Chickli Collieries and for the workmen by Shri A. R. Farooqui, Vice-President, All India Khan Mazdoor Federation, and they have prayed that an award be made in the following terms thereof:—

#### *Agreed Terms*

Parties have agreed that the management of Newton Chickli Collieries will take back Shri Sardoo, s/o Amar, in service as a Loader in the top seam in the Newton Chickli Collieries on his reporting for duty by 20th August, 1965, and the management agrees to appoint him to his former post of Loader Mate in the Newton Chickli Colliery with effect from 1st January, 1966. It is agreed that Shri Sardoo will get the benefit of continuity of his past service in the Newton Chickli Colliery and that the period from 26th September, 1963 to the date he reports for duty by 20th August, 1965, will be treated as on leave without pay.

3. I am satisfied that the terms of settlement are, in the circumstances of the case, fair and reasonable and in the interest of industrial peace. I, therefore, make an award in terms of the settlement recorded by the parties.

4. No order as to costs.

Sd./- SALIM M. MERCHANT,  
Presiding Officer.  
[No. 5/12/64-LRII.]

S.O. 2829.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Samla Baidyanathpur Colliery, Post Office Pandaveshwar and their workmen which was received by the Central Government on the 23rd August, 1965.

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

In the matter of a reference under Section 10(1) (d) of the Industrial Disputes Act, 1947.

REFERENCE No. 68 OF 1963

#### PARTIES:

Employers in relation to the Samla Baidyanathpur Colliery, P.O. Pandaveshwar, Dist., Burdwan (West Bengal).

AND

Their workmen

#### PRESENT:

Shri Raj Kishore Prasad, M.A., B.L.,—*Presiding Officer.*

#### APPEARANCES:

*For the Employers.*—Shri Ganesh Singh, Agent of the Company.

*For the Workmen.*—Shri Keshab Banerjee, General Secretary, Colliery Mazdoor Union, Asansol.

STATE: West Bengal.

INDUSTRY: Coal.

*Dhanbad, dated the 16th August, 1965.*

#### AWARD

By its Order No. 1/14/63-LRII, dated the 20th August, 1963, the Government of India, Ministry of Labour and Employment, referred under Section 10(1) (d) of the Industrial Disputes Act, 1947, for adjudication to this Tribunal, an industrial dispute existing between the employers in relation to the Samla Baidyanathpur Colliery, P.O. Pandaveshwar, Dist. Burdwan (West Bengal), and their workmen in respect of the matter specified below:—

#### SCHEDULE

“Whether the management of Samla Baidyanathpur Colliery stopped the workmen mentioned below from working in the Colliery from the

30th April, 1963. If so, was the management justified in doing so, and if not, to what relief are the workmen entitled?"

Sl. No.	Name	Designation
1.	Sheikh Sekendar	Fireman
2.	Md. Mustafa	"
3.	Sanichar Mahato	On Setter (F.M.)
4.	Narain Gorai	Do.
5.	Sarathi Bouri	B. Man
6.	Satu Bagdi	B. Man
7.	Sheikh Easali	H. Khalasi
8.	Ganga Bagdi	B. Man.
9.	Nemai Mondal	P. Khalasi.
10.	Seikh Munsub	P. Khalasi
11.	Deba Bagty	H. Khalasi
12.	Shankar Bouri	Engine Khalasi
13.	Shankar Dhibar	Do.
14.	Mantu Bouri	Do.
15.	Rabi Bouri	Do.
16.	Sona Bouri	Do.
17.	Naresh Rajbar	Cooly
18.	Md. Ali	B. Man
19.	Sheikh Munir	On Setter
20.	Abdul Ali	Do.
21.	Madan Kamar	Fitter Mistry
22.	Arun Bouri	Do.
23.	Cholla Muchien	Ash Kamin
24.	Mathu Sweeper	Sweeper
25.	G. D. Gorai	Elect. Helper
26.	Ratan Dom	Prop. Mistry.
27.	Jatan Dom	Do.
28.	Manik Dom	Do.
29.	Sudhir Dom	Do.
30.	Khudiram Bouri	Do.
31.	Bhalgati Dom	Do.
32.	Labu Das	Line Mistry
33.	Saiob Wohab	P. Khalasi.
34.	Sheikh Teakub	Do.
35.	Panchu Dussad	Trammer
36.	Bharat Dussad	Do.
37.	Sita Ram Kahar	Do.
38.	Muni Singh	Do.
39.	Abdul Khan	Do.
40.	Hema Bouri	Do.
41.	Balai Bouri	Do.
42.	Sukhdeb Ram	Do.
43.	Rajnath	Do.
44.	Balkishore Dossad	Do.
45.	Suba Mahato	Do.
46.	Mahindra Majhi	Miner
47.	Manu Majhi	Do.
48.	Man Singh Mahji	Do.
49.	Sona Majhi	Do.
50.	Thulu Majhi	Do.
51.	Ramabatar	Do.
52.	Habu Dom	Do.
53.	Bagrui Majhi	Do.
54.	Galu Majhi	Do.
55.	Lubin Majhi	Do.
56.	Dhiba Majhi	Do.
57.	Chata Majhi	Do.
58.	Charka Majhi	Do.
59.	Rupai Majhi	Do.
60.	Haripada Majhi	Do.
61.	Jadupat	Loader

Sl. No.	Name	Designation
62.	Badal Majhi . . . . .	Miner.
63.	Sital Majhi . . . . .	Do.
64.	Kista Majhi . . . . .	Do.
65.	Sarju Majhi . . . . .	Do.
66.	Kalo Majhi . . . . .	Do.
67.	Ramnath Majhi . . . . .	Do.
68.	Dabi Majhi . . . . .	Do.
69.	Siblal Majhi . . . . .	Do.
70.	Paresh Majhi . . . . .	Do.

2. Sarvashri Ganesh Singh, Agent, and Keshab Banerjee, General Secretary, Colliery Mazdoor Union, Asansol, appeared for the Colliery Company and the concerned workmen respectively. They filed a joint petition of compromise dated 16th August, 1965, and prayed that an award in terms of it be made.

3. I have read and considered the terms of the compromise and I think they are fair and reasonable and in the interest of the parties, and, therefore, I accept the same and record the compromise.

4. The aforesaid compromise is marked Annexure "A" and an award in terms of it, as prayed for by both parties, is made and this compromise Annexure "A" is made a part of the award.

5. Cost of Rs. 100 awarded on 3rd July, 1965 was paid by Shri Ganesh Singh hand to hand in cash to Shri Keshab Banerjee, representing the concerned workmen, in presence of the Tribunal. At the request of the parties this payment has been recorded in the order sheet of the case dated 16th August, 1965.

6. This is the award which I make and submit to the Central Government under Section 15 of the Act.

DHANBAD,

Dated 16-8-1965.

Sd./- RAJ KISHORE PRASAD,  
Presiding Officer,  
Central Government Industrial Tribunal.

#### ANNEXURE "A"

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 68 of 1963

#### PARTIES:

Employers in relation to Samla Baidyanathpur Colliery.

AND

Their Workmen, represented by Colliery Mazdoor Union, Asansol.

The parties above named beg to submit that without prejudice to contention of either parties, they have settled the above matter between themselves and have arrived at mutual settlement on the following terms :—

#### Terms of settlement

(1) The employers agree to take back the workers, whose names appear in the schedule of the order of reference, in their former posts and services as soon as the Colliery re-opens, the period of non-employment being treated as leave without pay. A list of such workmen is enclosed herewith.

(2) The employers agree to pay Rs. 50 (fifty) only to each of the workmen mentioned in item No. 1 as *ex-gratia* payment and the workmen will have no other claim in respect of payment.

(3) The payment as per item No. 2 will be made on and from 30th September, 1965.

(4) Each party will bear its own cost.

The parties, therefore, pray that your honour would be pleased to accept the above terms of settlement and pass an award accordingly.

And for this the parties shall ever pray.

Sd./- GANESH SINGH,

Agent.

For the Employer.

Samla Baldyanathpur Colliery.

Dated, Dhanbad, the 16th August, 1965.

Sd./- KESHAB BANERJEE,

For the Workmen.

*List of workmen*

Sl. No.	Name	Designation
1	Sheikh Sekendar . . . . .	Fireman
2	Md. Mustafa . . . . .	Fireman
3	Sanchar Mahato . . . . .	On Setter (F.M.)
4	Narain Gorai . . . . .	Do.
5	Sarathi Bouri . . . . .	B. Man
6	Satu Bagdi . . . . .	B. Man
7	Sheikh Basali . . . . .	H. Khalasi
8	Ganga Bagdi . . . . .	B. Man
9	Nemai Mondal . . . . .	P. Khalasi
10	Seikh Munsub . . . . .	Do.
11	Deba Bagty . . . . .	H. Khalasi
12	Shankar Bouri . . . . .	Engine Khalasi
13	Shankar Dhibar . . . . .	Do.
14	Mantu Bouri . . . . .	Do.
15	Rabi Bo . ri . . . . .	Do.
16	Sona Bouri . . . . .	Do.
17	Naresh Rajbar . . . . .	Cooly
18	Md. Ali . . . . .	B. Man
19	Sheikh Munir . . . . .	On Setter
20	Abdul Ali . . . . .	Do.
21	Madan Kamar . . . . .	Fitter Mistry
22	Arun Bouri . . . . .	Do.
23	Cholla Muchion . . . . .	Ash Kamin
24	Mathu Sweeper . . . . .	Sweeper
25	G.D. Gorai . . . . .	Elect. Helper
26	Ratan Dom . . . . .	Prop. Mistry
27	Jatan Dom . . . . .	Do.
28	Manik Dom . . . . .	Do.
29	Sudhir Dom . . . . .	Do.
30	Khudiram Bouri . . . . .	Do.
31	Bhalgati Dom . . . . .	Do.
32	Labu Das . . . . .	Line Mistry
33	Saiob Wohab . . . . .	P. Khalasi
34	Sheikh Teakub . . . . .	Do.
35	Panchu Dussad . . . . .	Trammer
36	Bharat Dussad . . . . .	Do.
37	Sita Ram Kahar . . . . .	Do.
38	Muni Singh . . . . .	Do.
39	Abdul Khan . . . . .	Do.
40	Hema Bouri . . . . .	Do.
41	Balai Bouri . . . . .	Do.
42	Sukhdeb Ram . . . . .	Do.
43	Rajnath . . . . .	Do.
44	Balkishore Dossad . . . . .	Do.
45	Suba Mahato . . . . .	Do.
46	Mahindra Majhi ] . . . . .	Miner



Sl. No.	Name	Designation
47	Manu Majhi . . . . .	Miner
48	Man Singh Majhi . . . . .	Do.
49	Sona Mahi . . . . .	Do.
50	Thulu Majhi . . . . .	Do.
51	Ramabatar . . . . .	Do.
52	Habu Dom . . . . .	Do.
53	Bagrai Majhi . . . . .	Do.
54	Galu Majhi . . . . .	Do.
55	Lubia Majhi . . . . .	Do.
56	Dhiba Majhi . . . . .	Do.
57	Chata Majhi . . . . .	Do.
58	Charka Majhi . . . . .	Do.
59	Rupai Majhi . . . . .	Do.
60	Haripada Majhi . . . . .	Do.
61	Jadupat . . . . .	Loader
62	Badal Majhi . . . . .	Miner
63	Sital Majhi . . . . .	Do.
64	Kista Majhi . . . . .	Do.
65	Sarju Majhi . . . . .	Do.
66	Kalo Majhi . . . . .	Do.
67	Ramnath Majhi . . . . .	Do.
68	Dabi Majhi . . . . .	Do.
69	Siblal Majhi . . . . .	Do.
70	Paresh Majhi . . . . .	Do.

[No. 1/14/63-LRII.]

*New Delhi, the 31st August 1965*

**S.O. 2830.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the Kotma Colliery of M/s. Associated Cement Companies Ltd., and their workmen which was received by the Central Government on the 21st August 1965.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY**

REFERENCE No. CGIT 24 OF 1964

Employers in relation to the Kotma Colliery of Messrs Associated Cement Companies Ltd.,

**AND**

Their Workmen.

**PRESENT:**

Shri Salim M. Merchant, Presiding Officer.

*For the Employers*—Shri G. L. Govil, Senior Personnel Officer, with Shri M. S. Kapoor, Personnel Officer.

*For the Workmen*—Shri K. B. Chougule, President, Kotma Colliery Mazdoor Sangh.

Dated at Bombay this 17th day of August, 1965

**INDUSTRY**—Coal-mining**STATE**—Madhya Pradesh.**AWARD**

1. The Central Government, by the Ministry of Labour & Employment's Order No. 5/2/64 LR II dated 12th February 1964, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947), was pleased to refer the industrial dispute between the parties above-named in respect of the subject-matters specified in the following schedule to the said order, to me for adjudication.

**SCHEDULE**

"Whether the curtailment of leave facilities in respect of workmen brought on monthly rates of pay with effect from February, 1961, is justified? If not, to what relief are such workmen entitled?"

2. After the parties had filed their written statements, the representatives of the parties appeared before me on 17th August 1965 and filed a joint application dated 16th August 1965, praying for permission to withdraw this reference for the reasons stated in the said application, a copy of which is annexed hereto and marked Annexure 'A'. I therefore, grant permission to the parties to withdraw the reference, and dispose of the same as withdrawn in terms of Annexure 'A'.

3. No order as to costs.

(Sd.) SALIM M. MERCHANT,  
Presiding Officer.

**ANNEXURE 'A'**

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY**

**IN THE MATTER OF REFERENCE No. CGIT-24 of 1964**

**BETWEEN**

The Associated Cement Cos. Ltd.,  
Kotma Colliery,  
P.O. Kotma Colliery,  
Distt. Shahdol (M.P.)

**AND**

Its workmen as represented by  
Kotma Colliery Mazdoor Sangh,  
P.O. Kotma Colliery,  
Distt. Shahdol (M.P.)

*May it please The Hon'ble Tribunal,*

Whereas the Government of India, Ministry of Labour & Employment by order dated 12th February, 1964 (published as Notification No. S.O. 640 in the Gazette of India—Part II Section 3(ii) dated 22nd February 1964 at Page 864) has referred the dispute as specified therein, (a copy of the said notification is annexed hereto and marked as Annexure 'A') between The Associated Cement Cos. Ltd., Kotma Colliery, P.O. Kotma Colliery (hereinafter referred to as "the Company") and its workmen as represented by Kotma Colliery Mazdoor Sangh (hereinafter referred to as "the Union") under Section 10(d)(1) of the Industrial Disputes Act, 1947, for adjudication to this Hon'ble Tribunal.

2. And whereas the said dispute is pending before this Hon'ble Tribunal and numbered as Reference No. CGIT-24 of 1964.

3. And whereas an understanding was reached in July, 1965 between the parties to withdraw the said dispute pending before this Hon'ble Tribunal and to refer the same under Section 10A of the I.D. Act, to the arbitration of Shri F. Jeejeebhoy, Ex-President of the Labour Appellate Tribunal of India, residing at 'Firuz-Ara', Churchgate Reclamation, Bombay-1.

4. And whereas on being orally requested by the parties in July, 1965 Shri F. Jeejeebhoy indicated his willingness to act as an Arbitrator.

5. And whereas it was agreed that the parties will apply to the Hon'ble Tribunal for permission to withdraw the said Reference No. CGIT-24 of 1964.

6. Now therefore, the parties above-named pray that this Hon'ble Tribunal may be pleased to pass an order permitting such withdrawal.

*Dated at Bombay, this 16th day of August, 1965*

For and on behalf of  
Kotma Colliery Mazdoor Sangh.

(K. B. CHOUGULE)  
President,  
Kotma Colliery Mazdoor Sangh.

For and on behalf of  
The Associated Cement Cos. Ltd.,  
Kotma Colliery,  
(G. L. Govil)  
Senior Personnel Officer.

ANNEXURE 'A'

MINISTRY OF LABOUR & EMPLOYMENT

ORDER

*New Delhi, the 12th February 1964*

**S.O. 640.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Kotma Colliery of Messrs. Associated Cement Companies Limited, and their Workmen in respect of the matters specified in the Schedule hereto annexed:

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under Section 7A of the said Act.

SCHEDULE

Whether the curtailment of leave facilities in respect of workmen brought on monthly rates of pay with effect from February 1961 is justified? If not, to what relief are such workmen entitled?

[No. 5/2/64-LR.II/]

Sd/- A. L. HANDA, Under Secy.

[No. 5/2/64-LR.II.]

**S.O. 2831.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Andhra Pradesh, Hyderabad in the Industrial dispute between the employers in relation to the Visakhapatnam Port Trust, Visakhapatnam and their workmen which was received by the Central Government on 16th August, 1965.

BEFORE THE HON'BLE INDUSTRIAL TRIBUNAL, ANDHRA PRADESH,  
HYDERABAD

PRESENT:

Dr. Mir Siadat Ali Khan, M.A., LL.B., Fazel (Osm); B.C.L., (Oxon); D. Phil., (Oxon); Bar-at-Law; (Lincoln's Inn) (London); Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE No. 53 OF 1965

BETWEEN:

Workmen of Visakhapatnam Port Trust, Visakhapatnam.

AND

The Management, Visakhapatnam Port Trust, Visakhapatnam.

APPEARANCES:—

Neither party appeared in person.

PART AWARD

The industrial dispute between the employers of the Visakhapatnam Port Trust and their workmen represented by Port Khallasis Union and the Dock Workers Union, Visakhapatnam was referred for adjudication by the Government of India, Ministry of Labour & Employment, New Delhi's letter dated 22nd June 1965 with the following issues specified in the schedule to the order of reference, viz.,

“(1) Whether the demand to up-grade all the existing “B” and “B-1” category workers (shore labour) to category “A” is justified? If not, what number should be up-graded as “A” category workers?

- (2) Whether the demand for grant of weekly day of rest with wages for all the workers is justified?
- (3) Having regard to the work-load, whether the demand for increase in the Gang strength of the shore Khallasis and proportionate increase in the piece-rate is justified?"

2. The reference was registered here as industrial dispute No. 53/1965. Before any claims statement or any counter to it could be filed, I am happy to state that, the parties to the dispute have reached a settlement outside the court on 2 of the 3 issues referred. I satisfied myself as to the execution of the deed of settlement by the representatives of the parties concerned and also that it covers issues 2 and 3 referred by the Government. The terms of the settlement reached are as follows:

*"Demand No. 2:*

*Weekly day off with wages.*—It is agreed that all the departmentalised shore workers ('B' and 'B-1' category workers) will be given weekly day off with wages:

Provided that the employee has worked for a continuous period of not less than six days.

For the purpose of computation of the continuous period of not less than six days;

- (a) any day on which an employee is required to attend for work but is given only an allowance for attendance and is not provided with work;
- (b) any leave or holiday with or without pay, granted by the employer to an employee in the period of six days immediately preceding the rest day;

shall be deemed to be days on which the employee has worked.

This will be done from the 2nd week of the workers joining duty, in a staggered manner.

*Demand No. 3:*

*Increase in Gang Strength.*—It is agreed that the present gang strength of 'B' category workers (Bag and Bale Cargo workers) will be increased to 20 plus 1 from 18 plus 1, i.e., 20 workers plus 1 maistry. The existing piece rates will be enhanced in proportion to the increase in gang strength. This will be implemented with immediate effect.

Both the parties agree to file this Memorandum of Settlement before the Hon'ble Tribunal with the request to record this as a settlement in respect of demands Nos. 2 and 3 of this letter dated 15th June 1965.

The workers will report for duty from the second shift of 26th June 1965."

I, therefore, pass this Part Award in accordance with the terms of the settlement mentioned above.

Report to Government accordingly, given under my hand and the seal of the Court, this the 13th Day of August, 1965.

(Sd.) M. S. ALI KHAN,  
Industrial Tribunal  
[No. 28/60/65/LRIV.]

**S.O. 2832.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to M/s. A. C. Roy and Company Private Limited, Calcutta and their workmen which was received by the Central Government on the 21st August, 1965.

In the matter of an Industrial Dispute between the Employers in relation to Messrs. A. C. Roy and Company Private Ltd., Calcutta, and their Workmen.

(CASE No. 1/64 C.G.)

Before Shri S. K. Ray, M.A., LL.B., Presiding Officer, Judge.

*For the Union*—Shri Pronob Kumar Ganguly, Joint General Secretary, National Union of Dockers.

*For the Company*—Shri S. M. Roy Chowdhury, an officer of the Company.

## AWARD

By Order No. 28/41/64-LRIV dated 3rd July 1964, the Government of India in the Ministry of Labour & Employment, constituted an Industrial Tribunal at Calcutta with Shri S. N. Guha Roy as the Presiding Officer and referred to the said Tribunal the above dispute in respect of the matters specified in the Schedule to the said order and re-produced below. The said Tribunal took cognisance of the reference and started proceedings for adjudication of the dispute. While the case was pending for adjudication before that Tribunal, the Government of India in the Ministry of Labour & Employment, by its Order No. 28/41/64-LRIV dated the 14th September, 1964, made under Section 33B(1) and Section 7A of the Industrial Disputes Act, 1947, withdrew the proceedings in relation to the above dispute from the Tribunal constituted with Shri S. N. Guha Roy as the Presiding Officer and constituted another Industrial Tribunal with myself as the Presiding Officer and transferred the said dispute to the newly constituted Tribunal for adjudication according to law. Accordingly, this Tribunal took cognisance of the dispute and started proceedings for adjudication thereof. According to the order of transfer, this Tribunal started proceedings from the stage at which it was left by Shri S. N. Guha Roy.

The Schedule to the original order of reference to the Tribunal constituted with Shri S. N. Guha Roy as the Presiding Officer containing the matters in dispute which are under adjudication in the present proceeding is as follows:—

## SCHEDULE

Whether the demand of 17 Assistant Supervisors of Messrs A. C. Roy and Company Private Limited, Calcutta for confirmation and suitable designation is justified? If so, what should be the conditions of service applicable to them regarding scale of pay, dearness allowance, overtime allowance, provident fund, gratuity, medical benefits, duty hours and roster of duties including offs?

The parties appeared before this Tribunal and took necessary steps in the proceedings for adjudication. After the necessary preliminary proceedings, the case was taken up for contested hearing. In course of hearing, seven witnesses were examined on behalf of the Union and some documents were exhibited and thereafter two witnesses were examined on behalf of the Company. At this stage, some talks of compromise arose between the parties and in order to carry on negotiations for an amicable settlement, the parties took some adjournments. At one stage, the parties' representatives reported that the talks of compromise had failed and accordingly the case was fixed for further hearing. The last date fixed for further hearing was 13th August 1965. On that date, the parties' representatives informed the Tribunal that after all the negotiations for an amicable settlement had succeeded and the parties had effected a compromise. A joint petition setting out the terms upon which the dispute had been amicably settled and praying for an award on the basis of these terms was also filed.

I have heard the parties' representatives and considered the terms of amicable settlement contained in the joint petition. The terms appear to be quite lawful and fair and I am satisfied that there has been a *bonafide* settlement of the dispute on those terms. Accordingly, this case is to be disposed of by a compromise award in terms of the joint petition filed by the parties, a copy of which should form a part of the award.

In the result, I make a compromise award in terms of the joint petition filed by the parties on 13th August 1965, a copy whereof is made a part of the award as an Annexure.

Sd/- S. K. RAY,  
Presiding Officer, Judge,  
Industrial Tribunal.  
17-8-1965.

## ANNEXURE

### BEFORE THE 7TH INDUSTRIAL TRIBUNAL, WEST BENGAL

In the matter of Government of India, Ministry of Labour & Employment, Order of Reference No. 28/41/64-LRIV dated 3rd July 1964

AND

In the matter of Case No. 1 of 1964

AND

In the matter of Employers in relation to Messrs. A. C. Roy & Co. (P) Ltd. of 5, Mission Row, Calcutta-1—Employer

*Versus*

Their workmen represented by National Union of Dock Labour at Present known as National Union of Dockers, 10, Mohan Chand Road, Calcutta-23.—  
*Workmen.*

The humble petition of both parties abovenamed  
Most Respectfully Sheweth:—

The parties hereto have amicably settled all disputes mentioned in the schedule to the aforesaid Order of Reference, by and between themselves on the following terms, viz:—

1. That the concerned workmen who were previously designated as Attendance Writers cum Assistant Supervisors cum Gear Clerks will henceforth be designated as Assistant Supervisor.

2. The rate of wages of the workmen is fixed at Rs. 9/- per booking on day, afternoon or night shift inclusive of all allowances.

3. Payment of minimum guaranteed wages for 21 bookings per month will be made.

4. Workmen will have to record attendance for all days of the month to receive their bookings except when they are either booked in a ship and the said booking is not cancelled or changed by intimation in writing.

5. All shifts worked beyond 21 shifts in a month will be paid by the agreed wages of Rs. 9/- per shift, in addition to the guaranteed minimum as mentioned in item 3.

6. All absence from ships or office attendance will entail deduction of wages at the rate of Rs. 6.03 or 6.01 for each absence, from the guaranteed minimum wages, according as the month is 30 days or 31 days.

7. Rotational booking and one shift booking in a day of 24 hours will be the usual practice but in case of necessary more shifts bookings will be allotted to the workmen who will work accordingly. In case of double shift booking in a day, the question of recording of attendance may be waived by the Company.

8. Double wages will be paid for working on holidays as prescribed by the Calcutta Port Commissioners.

9. Workmen will perform the duties as allotted to them.

10. The workmen will be permanently retained for giving them bookings in the manner above, subject to the disciplinary rules of the company but this will not give them the status of confirmed workmen at present.

11. Employees' Provident Fund Act & Scheme will be introduced for these workmen as may be applicable under the law, i.e. if a workmen has worked for 240 days in a year before the date of such introduction.

12. The above terms will take effect from 1st. August 1965.

13. In view of the above amicable settlement, the Union will have no further claim on behalf of the workmen concerned.

Your petitioners, therefore, most humbly pray that your Honour may be graciously pleased to approve of the above compromise and to pass an award in the matter accordingly, treating this petition of settlement as a part of the award.

And your petitioners as in duty bound, shall ever pray.

## VERIFICATION

We declare that the statement made in the foregoing paragraph are true to our knowledge.

(Sd.) Illegible  
Signature of the Union  
Dated 13th August 1965  
Sd/- S. K. Ray  
(Presiding Officer) Judge,  
Industrial Tribunal.  
Dated 17-8-65.

(Sd.) Illegible.  
Signature of the employer  
Dated 13th August 1965.

*New Delhi, the 2nd September 1965*

**S.O. 2833.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Khas Dharmaband Colliery, Post Office Malkera, District Dhanbad and their workmen which was received by the Central Government on the 19th August, 1965.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,  
DHANBAD**

In the matter of a Reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 (XIV of 1947).

**REFERENCE No. 95 OF 1963.**

**PARTIES:**

Employers in relation to the Khas Dharmaband Colliery, Post Office Malkera, District Dhanbad.

**AND**

Their workmen.

**PRESENT:**

Shri Raj Kishore Prasad, M.A. B.L.,—*Presiding Officer.*

**APPEARANCES:**

*For the Employers.*—Sarbashri S. S. Mukherjee, advocate and O. O. Varma, Chief Personnel Officer.

*For the Workmen.*—Sarbashri D. Narsingh, Advocate, B. Lal, Vice-President, Khan Mazdoor Congress, Gopal Munshi, General Secretary, Khan Mazdoor Congress, Dhanbad.

**STATE:** Bihar.

**INDUSTRY:** Coal.

*Dhanbad, dated the 20th June, 1965.*

**AWARD**

Ministry of Labour and Employment, Government of India, by its Order No. 2/57/63-LRII, dated the 18th December, 1963, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947, for adjudication to this Tribunal, an industrial dispute existing between the employers in relation to the Khas Dharmaband Colliery and their workmen in respect of the matters specified below:

"1. Whether the termination of service of Shri Chhutu Shain as Mining Sirdar by the management of the Khas Dharmaband Colliery and later employment on a lower pay in December, 1961 were all valid and justified?

2. If not, to what relief is the workman entitled?"

2. On behalf of the concerned workmen, the Secretary of the Khan Mazdoor Congress filed a statement of claims on 17th January, 1964. The case of the workman was that he fell a victim to T.B. in May 1958 and, therefore, the management sent him for treatment to Katras Regional Hospital on 5th November, 1958 and from there he was transferred to T.B. Clinic, Katrasgarh, wherefrom also, he was sent to the Regional T.B. Clinic, Siarsol, wherefrom he was discharged on 27th November, 1959, and granted a discharge certificate Ext. W. The T.B. Officer of Regional T.B. Clinic, Siarsol, advised him to take medicines as given in the prescription, for a period of 6 months and to get himself monthly examined and he was declared completely cured of T.B. and fit for light job as will appear from the certificate of fitness on the back of Ext. W. The further case of the concerned workman was that when he fully recovered he joined duty and resumed work in December 1961 on the same job of Mining Sirdar which he was doing before, but after 2 months, when he got his salary he was surprised to find that he got his wages at the rate of Rs. 50 per month, although he was getting Rs. 64 per month. The concerned workman further stated that the alleged issue of letter dated 26th November, 1958 Ext. M. to him asking him to join within a week, during which time admittedly he was in the hospital, was impossible to be complied with. He further said that the issue of the alleged letter of 18th

December, 1961 Ext. M. 1, alleged to be his fresh appointment on Rs. 50 per month, was only a fraud and illegal inasmuch as his previous employment continued as it had never been terminated but his signature had been taken without explaining its contents. On these grounds, therefore, it was prayed that the concerned workman, who is still in the employment of the management and working as a Mining Sirdar but on less wages should be declared to be continuing in service and as such entitled to his original pay of Rs. 64 per month, as there has been no termination of his previous service, and he was also entitled to arrears of his wages.

3. The management also filed a written statement on 21st February, 1964 in which a preliminary objection was taken that the present dispute was an individual dispute and, therefore, it was outside the purview of the Tribunal. It was further said that the present dispute was a belated one taken up by the Union in May, 1963 before the Conciliation Officer, although the cause of action arose in December 1961 and, therefore, such an over stale claim should not be entertained by the Tribunal and as such the reference was incompetent.

On merits, it was contended that on 28th November, 1958, as the concerned workman was suffering from continued ill health for over a period of 6 months, he was informed by a letter Ext. M. to join within a week, otherwise his services would be terminated and this letter was to be treated as last warning; that as the workman concerned did not join within a week in spite of the letter Ext. M, but the workman came for work in December 1961 he was given fresh appointment letter on 18th December 1961 Ext. M1 on the basic salary of Rs. 50 on the terms and conditions mentioned therein and, therefore, it is not correct to say that there was continuity of service and that his present appointment as Mining Sirdar was in continuation of his previous job in which he was getting Rs. 64 and, as such he was entitled to get less wages of Rs. 50 per month as agreed to in Ext. M. 1. The workman is not therefore entitled to any relief.

4. The management was represented by Servashree S. S. Mukherjee, Advocate, and O. P. Verma, Chief Personnel Officer of the Company and the Union, representing the workman concerned, was represented by Servashree D. Narsingh, Advocate, B. Lal, Advocate, and Gopal Munshi, General Secretary, Khan Mazdoor Congress. Both the parties filed documents which, with mutual consent, were taken in evidence and marked exhibits in the case. Documents filed by the Company were marked Exhibits M. to M. 1(a) and those filed by the workman were marked Exhibits W. to W. 3. Both sides examined one witness each. The Union examined the concerned workman, Shri Chhutu Shain, W.W. 1, and the management examined Shri G. S. Suri, Manager, M.W. 1.

5. I may mention that on the second day of hearing on 18th June, 1965, in view of the denial of his signature on Ext.M.1(a), which is the original of Exhibit M.1, by the workmen concerned W.W.1, the management filed a petition for getting his disputed signature on Ext. M.1(a) compared by handwriting expert with his admitted signatures. I, however, rejected this petition for the reasons recorded in my Order No. 8 dated 18th June, 1965 as I found, on the facts of the present case, that this would not serve any useful purpose and it would simply delay the disposal of this old case of 1963.

#### 6. Preliminary objection:

Shri Mukherjee objected to the competency of the reference. His ground was that the dispute of the workman concerned was not sponsored by the Colliery Mazdoor Sangh, which was functioning from before 1961, nor, was it espoused by his co-workers, as admitted by the concerned workman, W.W.1, who said that no meeting of the worker was held concerning the lower wages being given to him as alleged. It was further contended that the first cause of action arose in November, 1958, when the letter Ext. M was issued to the concerned workman and the second cause of action, which is the basis of the present dispute, arose in December 1961, when he was alleged to have been re-employed under Ext. M. 1 and the case of the workman concerned was taken by the present Union, namely, Khan Mazdoor Congress on 25th May, 1963 and the concerned workman became a member of this Union as appears from the Membership Register Ext. W.2 on 16th February, 1963, that is, about 2 years after the dispute had arisen and, in these circumstances, this Union, of which the concerned workman became a member subsequent to his dispute, had no jurisdiction to convert an individual dispute into an industrial dispute and as such an admitted individual dispute continued to be so and the reference in respect of an individual dispute was invalid.



In support of his above contention, Shri Mukherjee relied on two decisions, namely, (1) of a Division Bench of the Kerala High Court in *Shamsuddin Vs. State of Kerala & others*, 1961—I. L.L.J. 77, and, (2) of a learned single judge of the Andhra Pradesh High Court in *Padharthy Ratnam & Co, Guntur Vs. Industrial Tribunal & others*, 1958 II. L.L.J. 290.

7. Shri Mukherjee further contended that old cases or over stale claims should not be encouraged. In support of this argument, he relied on a decision of the Supreme Court in *Inder Singh & Sons, Ltd. Vs. Their workmen*, 1961, II. L.L.J. 89; on a decision of a learned Single Judge of the Calcutta High Court in *Howrah Municipality Vs. Second Industrial Tribunal, West Bengal*, 1965—I. L.L.J. 382 and another decision of the Supreme Court in *Jhagrakhand Collieries (P) Ltd., Vs. Central Government Industrial Tribunal Dhanbad*, 19 F.J.R. 128=1960 II. L.L.J. 71.

8. Shri Narsingh, in reply, contended that there is no dispute that the present Union, namely, Khan Mazdoor Congress, was formed in this Colliery towards the end of 1962, after the dispute had arisen in December 1962 in view of Ext. M-1 and that the concerned workman became its member in February 1963 and the Union took up the dispute of the concerned workman in May 1963, but admittedly the concerned workman was still in service although not in the old scale, but in a new scale and, therefore, in those circumstances, his dispute must be said to be continuing. It was further argued that the argument of the management that a workman must have been a member of a Union prior to his dismissal in order to give jurisdiction to the Union to sponsor his dispute may or may not be a valid argument in the case of a dismissal, but certainly it is not a valid argument when admittedly the workman is still in service and in the same post of Mining Sirdar and doing the same job. In this connection, it was argued that previously he was Mining Sirdar Class I or II, because he was getting Rs. 64/- per month, but now because of his less salary of Rs. 50 per month he has been appointed as Class III Mining Sirdar.

out when the dispute arose and which dispute had been referred for adjudication and whether the present dispute was a continuing dispute, was the reference itself and the tribunal had no jurisdiction to go beyond the terms of reference and, in the instant case, it will appear from the reference that December 1961 is the date when the dispute arose because of the letter of appointment on lower pay which is alleged to have been given to the concerned workman and the validity of which is in question.

10. Both the parties conceded that there is no direct case either of the Supreme Court or of any High Court directly on the point, and none at least was cited before me.

11. The points, therefore, that arise for determination are: (1) If a Union, whose member a workman becomes after his dispute has arisen has jurisdiction to sponsor his dispute, and by sponsoring it has its jurisdiction to convert the individual dispute of the workman into an industrial dispute; and (2) If a dispute has arisen earlier, and the workman has been appointed to the same post but on a lesser salary and formally his previous service has not been terminated by any letter of termination served on the workman concerned, can his dispute be said to be continuing, so as to make the question of the workman becoming a member of the Union after the first cause of action but during the continuance of his service of no legal consequence.

12. In two cases, namely, Reference 64 and 67 of 1963, which were cases of dismissal of the workman concerned, I upheld the preliminary objection of Shri Mukherjee, who was appearing there also both the cases for the management, that if a Union, of which the workman becomes a member after his dismissal, sponsors his dispute, it has no jurisdiction to espouse his cause and to convert his individual dispute by sponsoring his case into an industrial dispute. I overruled the object of Shri Narsingh, who also appeared for the workman in each of these two cases. I gave my award on 29th May 1965 and 27th May 1965 respectively. But, in the instant case, however, the facts are a little different, in that, the present case is not a case of dismissal; it is a case in which admittedly a letter of termination of services has not been issued to and served upon the workman concerned, although, according to the management, the workman's services were terminated when he did not join after the warning notice Ext. M.

13. As the question of termination of the service of the concerned workman is very important and linked with the preliminary objection and upon its

decision hinges the fate of the preliminary objection, I propose to deal with it first in the light of the decision of the Supreme Court in *Rita Theatre (P) Ltd., Delhi Vs. Its Workman*, 1962. II. L.L.J. 498.

14. In the instant case, what happened was this: On 28th November 1958 a letter Ext. M was issued by the manager to the concerned workman informing him that he was suffering from continued ill health for over a period of 8 months and, therefore, the management cannot wait indefinitely for his recovery and, as such, he was being warned that his services will be terminated within a week's time and another will be appointed in his place. There is no evidence on behalf of the management to show that this letter of warning Ext. M. was served on the workman concerned and if so, on what date. I emphasise this point, because at the relevant date he was lying ill of T.B. either at the Katras Regional Hospital, where he was sent by the management itself on 5th November 1958 or at T.B. Clinic, Katrasgarh, whereto he was transferred, because he was admitted in Regional T.B. Clinic, Siarsol, on 19th August 1959. The onus was on the management to prove that this letter was served on the workman and the management cannot take advantage of the weakness in the evidence of the workman. The workman was examined as WW-1 and he in his cross-examination stated that he did not remember if he received any letter dated 28th November 1958, meaning Ext. M, asking me to join within a week's time as I was in the T.B. Hospital under treatment. The management knew well on 5th November 1958 that it had itself sent the concerned workman for treatment for T.B. to Katrasgarh Regional Hospital, then how could it expect only 21 days thereafter that he had recovered or that he was in a fit condition to resume his duties. The management should have ascertained from the Katrasgarh Regional Hospital, where the concerned workman was sent by the management, which would have informed the management about the correct position and the place where the workman was at the relevant time. This obvious step was not taken. It was contended by Shri Mukherjee that it was no part of the duty of the management to make enquiry about the health of its workmen. Really I am surprised at this argument. It is the duty of the management in a Welfare State to look after the health of its workmen and, therefore, the management was in duty bound to ascertain first from Katrasgarh Regional Hospital where the workman was sent on 5th November 1958 about the condition of the concerned workman before issuing this letter Ext. M. Shri Mukherjee contended that in the written statement, as will appear from Para. 4, the workman admitted knowledge of this letter Ext. M. In para. 4 the observations of Conciliation Officer are being quoted. In para. 5 of his written statement the workman said that till 27th November 1959 he remained under treatment in the Regional T.B. Clinic, Siarsol. Even assuming that Ext. M was given to the workman, although there is no iota of evidence to show as to *when* and *where* it was given to him, there is no doubt that it was a *malafide* act on the part of the management, because the workman only on 5th November 1958, sixteen days before, had been sent for treatment for T.B. and he was still in hospital. I have no doubt in my mind that this letter Ext. M. was *malafide* and just an attempt to get rid of the workman concerned anyhow. Then again, if by Ext. M the workman was told that another will be appointed in his place and he was given one week's time to join otherwise his services will be terminated thereafter, then where is the letter of termination and when were his services terminated? If there was any termination letter, was it ever communicated to the concerned workman? There is no evidence on record and no letter of termination was produced before the Tribunal. The Supreme Court, in the above mentioned case, held that "The relationship of the employer and the employee can be effectively terminated in such a case not merely by the decision of the employer to terminate the employee's services but by the communication of the said decision to the employee;" and, as it happened, such a communication had not been made even till the date when the reference had been made.

For this reason, I hold that the services of the concerned workman have not been terminated and he is still continuing in his previous job and he was continuing till the date of the reference and even till now. The workman was the employee of the management even on 18th December 1961, when it is alleged by the management he was given fresh employment, although in law and in fact it was not a fresh employment at all.

15. It was contended by Shri Mukherjee that, in the instant case, there was no question of framing charges or holding an enquiry because the ground of termination was the continued absence of the workman and his inability to do work and it is difficult to say what charges would be served and what conceivable answer he could give thereto in such a case. The workman remained absent without permission and, therefore, the workman had no possible defence

to make. In support of his contention, he relied on two decisions of the Supreme Court (1) *Burn and Co., Ltd., Vs. Their employees*, 1957 I. L.L.J. 226. and, (2) *Indian Iron and Steel Co., Ltd., Vs. Their workmen*, 1958 I. L.L.J. 260.

Shri Mukherjee also contended that here the termination of the service of the workman, concerned was termination *simpliciter* not on account of misconduct and, therefore, on that ground also there was no question of giving formal charge and making any enquiry into it.

He further, contended that here Ext. M-1 constituted a special contract of appointment and the Tribunal was bound to give effect to it, and, as such, any other consideration to nullify this contract would be invalid. In my opinion, there is no substance in any of these contentions.

If a workman's services were to be terminated certainly a charge sheet should have been served on him because his absence cannot be said to be without permission in the instant case inasmuch as it was the management itself, which sent him for treatment on 5th November 1958 to Katrasgarh Regional Hospital and it is a well known fact that T.B. is not a disease, which could be cured within a month or within three weeks and, therefore, his continued illness till 27th November 1959, when he was discharged from Siarsol and thereafter till December 1961, when he was perfectly cured, must be deemed to be with implied permission and consent of the management. Moreover, in the present case it cannot be said that if charge sheet would have been given to the concerned workman he had no conceivable answer to give. He had very good defence; which was his illness from T.B. to the knowledge of the management and, therefore, he could have proved effectively and with success that from 5th November 1958 till before the date he joined it was not possible for him to join or to report for duty due to his illness on account of T.B. I do not think the two cases relied upon by Shri Mukherjee have any application to the present case.

As regards the *second objection* that Ext. M-1 should be taken as a *special contract* of appointment when I have held in para 20 hereafter when considering the merits that a typed document Ext. M-1(a) was brought before the workman and he was asked to put his signature on it and its contents were not explained to him and he was never told at any stage that he was being appointed on fresh appointment on lesser salary of Rs. 50 as Mining Sirdar Class III how can it be said that it was a valid and legal special contract of appointment agreed to by the workman concerned. In my opinion, no advantage can be taken of Ext. M-1, which was entirely illegal, invalid and ineffective. Paragraph 7 of the written statement of the Union makes it clear that when he was allowed to resume his duty in December 1961 reducing his salary from Rs. 64 to Rs. 50 he continued to work hoping that his original salary would be restored, and his arrears would be paid. Ext. M-1(a), therefore, although signed by the workman concerned on my finding, has no legal effect as he signed it in ignorance of his legal rights and without knowing its contents.

16. On the above finding, I hold that on the facts of the present case, when the dispute is a continuing one, the Union, which sponsored the cause of the workman in May 1963, although the workman became its member in February 1963, after his dispute had arisen in December 1961, had jurisdiction to sponsor it, and to convert the individual dispute into an industrial dispute, because the real dispute, in the present case, is of getting less wages every month, which is a continuing dispute and which continues even till today and which will continue till the date of the award and its implementation. In the present case, therefore, the dispute is an industrial dispute and not an individual dispute and, as such, the reference is competent.

17. The objection of Shri Mukherjee that the present dispute having arisen in December 1961 and taken up by the Union in December 1963 after two years was a belated and over-stale claim and, therefore, should not be allowed by the Tribunal, in my opinion, on the facts of the present case, has no substance.

The Supreme Court in *Inder Singh and Sons, Ltd., Vs. Their workman*, 1961 II L.L.J. 89, held that:

"On the other hand it is a well-accepted principle of industrial adjudication that over-stale claims should not generally be encouraged or allowed, unless there is a satisfactory explanation for the delay. Apart from the obvious risk to industrial peace from the entertainment of claims after a long lapse of time, it is necessary to take into account the unsettling effect this is likely to have on the

employer's financial arrangements. Whether a claim has become too stale or not will depend on the circumstances of each case."

In *Howrah Municipality Vs. Second Industrial Tribunal, West Bengal*, 1965 I. L.L.J. 383. it was held by a learned single judge of the Calcutta High Court that where the demand for arrears of increment was for the first time made collectively in August 1957, the industrial tribunal could not direct the benefit of such arrears for the period prior to August 1957 as it would amount to entertainment of a stale claim.

In the present case, however, the workman joined his duties admittedly in December, 1961, and, the Union was formed towards the end of 1962 and the workman became its member on 16th February 1963 and, thereafter, the Union took up the cause of the workman concerned in May 1963, when the General Secretary of the Union sent a letter to the Chief Labour Commissioner, New Delhi, on which there was a conciliation proceeding, which, however, ended in failure on 19th October 1963. According to the evidence of the workmen WW-1 he always made oral grievances although he never made any written complaint to anybody regarding his grievance of less payment. He has further stated that when he resumed his duties he was not at all told that he will get Rs. 50 per month, although before he fell ill his basic pay was Rs. 64 but two months after his joining when he was paid Rs. 100 then he was told that this matter should be brought to the notice of the Manager. He further said that when he told the manager he was told that as he had not been completely cured he should continue to work and, thereafter, on being cured he will get his full wages. He further stated that it is not correct that the work is now lighter than before and that the amount and nature of work are the same as before he fell ill. His evidence appears to be reasonable. When he got employment in the same post of Mining Sirdar and he was doing the same work as Mining Sirdar as before he could not have possibly thought of complaining to the Manager or any official and, therefore, he contented himself with ventilating his grievances orally to the Manager. No doubt the manager M.W-1 has denied that he ever informed the workman concerned to accept less payment on the ground that after some time he will be put on his original pay but considering the natural events, which might have taken place, it appears to me that the conduct of the workman was not unnatural. I would, therefore, hold that there was no unusual delay and, as such, the present dispute cannot be considered to be a belated claim or an over-stale claim so as to be discouraged or thrown out by the Tribunal.

18. For the reasons given above the preliminary objection fails on all the grounds urged.

#### *On Merits*

19. I have held that the services of the concerned workman have not been terminated, for the simple reason, that no letter of termination was ever issued to him, nor such a letter has been filed on record, nor, any charge sheet was issued, nor an enquiry was held into his misconduct, nor in pursuance of such an enquiry any termination letter was issued and the services of the workman were terminated. I, therefore, hold that the alleged termination of service of the workman concerned by the management, although there was no termination of service in fact or in law, was illegal, invalid and unjustified.

20. As regards the alleged *re-employment on lower pay in December 1961*, the sheet-anchor of the management is Ext. M-1. Ext. M-1 has been proved by the Manager, M.W.-1. He said that the signature of the concerned workman was taken on Ext. M-1 in his presence. Before the Tribunal the workman denied his signature on the original of Ext. M-1, which is Ext. M-1(a) and said it was not his. But when his signature on his deposition taken on 17th June 1965 was shown, he denied it. That shows that he has no regard for truth and he had been instructed to deny his signature and, therefore, I do not accept that Ext. M-1(a) does not bear his signature. I, therefore, hold that Ext. M-1(a) does bear his signature. But that is not enough. His defence is that its contents were not explained to him. He has specifically taken this plea in Para. 11 of his written statement in which he further said that it was not only a fraud but illegal in that re-employment cannot be made while the previous employment is continuing M.W.-1, Shri G. S. Suri, who was examined, however, said that if assuming he was in the hospital on 27th November 1959, as mentioned in Para. 5 of his written statement, then how it is possible he could have possibly joined before that date as asked for by letter of 26th November 1958 Ext. M. issued by the management? He further said that even if a person is suffering from T.B. and

thereafter being cured resumes his job and is continued in the same he gets the same wages if his service is continued, but if it is a fresh appointment, fresh service conditions are given and on acceptance of which he is taken. M.W-1 further said that when he appointed the workman concerned by Ext. M-1, he did not know that he was an old employee of the Colliery and he also did not ask him whether he worked in the Colliery anywhere. But on looking at his age he found him to be an experienced man. M.W-1 on being further examined on 18th June 1965 said that the concerned workman signed in his presence and the contents of the letter Ext. M-1(a) were explained to him and when this fact was put to him in his cross-examination, he said it was true that the contents of Ext. M-1(a) were read over and explained to Chhutu Shain but the difficulty in accepting this statement is that on seeing the original document, Ext. M-1(a), I find that it is in English and it is typed and even words "*Agreed and Confirmed*" are typed below the signature but curiously enough, it was not typed or written, if it was a fact, that the contents of this letter Ext. M-1(a) were read over to the workmen concerned and explained to him and thereafter he agreed and signed. The absence of such an endorsement, in my opinion, weakens the value of the evidence of M.W-1. For this reason, in the face of Ext. M-1(a) itself, I am not prepared to accept the statement of M.W-1 that this agreement Ext. M-1(a) was read over and explained to the concerned workman and he was told that he was being appointed as a fresh employee as Class III Mining Sirdar on a less salary of Rs. 50 only.

Another circumstance is also curious. If he was appointed as Mining Sirdar Class III on fresh appointment why that fact was not mentioned in Ext. M-1 and M-1(a). There is no mention about it. It is true that Ext. M-1 and M-1(a) do show that the appointment was a fresh one, but it was not enough.

For these reasons, although I hold that Ext. M-1(a) was signed by Chhutu Shain, I hold that a typed document Ext. M-1(a) was brought before him and he was asked to put his signature and he signed it without knowing the contents of the document Ext. M-1(a) and without knowing his legal rights and liabilities under Ext. M-1 and M-1(a) and without being told that he was being appointed on a basis of fresh appointment on lesser salary of Class III Mining Sirdar. If he had been informed or explained the contents of Ext. M-1(a), he would have surely refused to accept this alleged fresh appointment because his services were never terminated, in that, he was never served with a letter of termination. He was never served with a charge sheet. There was no enquiry into any misconduct, why then he should be given a fresh appointment letter at all?

For these reasons, I hold that his services continued and the later service in December, 1961 is in continuation of his previous service and, therefore, his rejoining as Mining Sirdar must be held to be in his previous job in the same scale and on the same pay, which he was getting before and, as such, employment on lesser scale was illegal, unjustified and invalid and must be set aside.

21. I, therefore, answer the reference in favour of the workman by holding (1) That the termination of services of Shri Chhutu Shain as Mining Sirdar by the management of the Khas Dharmaband Colliery and later employment on a lower pay in December, 1961 were both invalid and unjustified and, therefore, both are set aside; and

(2) That, therefore the workman concerned Shri Chhutu Shain, is entitled to be reinstated in his previous job of Mining Sirdar on a basic salary of Rs. 64 per month with effect from 5th November 1958 when he was sent for treatment to Katrasgarh Regional Hospital. He is further entitled to the remaining wages in his salary as he has been paid less wages throughout the period of his employment and he will have continuity of service throughout.

22. This is the award, which I make and submit to the Government of India under Section 15 of the Act.

(Sd.) RAJ KISHORE PRASAD,  
Presiding Officer,

Central Government Industrial Tribunal,  
Dhanbad.

[No. 2/57/63-LRII.]

**S.O. 2834.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the West Bhuggatdih Colliery of Messrs East Bhuggatdih Colliery Company (Private), Limited, Post Office Jharia (District Dhanbad) and their workmen which was received by the Central Government on the 28th August, 1965.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,  
DHANBAD**

In the matter of a reference under Section 10(1) (d) of the Industrial Disputes Act, 1947.

REFERENCE No. 3 of 1964

**PARTIES:**

Employers in relation to the East Bhuggatdih Colliery of Messrs East Bhuggatdih Colliery Company (Private) Ltd., P.O. Jharia, Dt. Dhanbad

AND

Their workmen.

**PRESENT**

Shri Raj Kishore Prasad, M.A., B.L., Presiding Officer.

**APPEARANCES:**

*For the Employers*—Sarvashri B. P. Dabral, Group Labour Officer and K. V. Ayyar, Group Welfare Officer.

*For the Workmen*—Shri B. N. Sharma, President, Congress Mazdoor Sangh.

**STATE:** Bihar.

**INDUSTRY:** Coal.

Dhanbad, the 23rd August, 1965

**AWARD**

By its Order No. 1/23/63-LR.II, dated 4th January 1964, the Government of India, Ministry of Labour & Employment, referred under Section 10(1) (d) of The Industrial Disputes Act, 1947, for adjudication to this Tribunal, an industrial dispute existing between the employers in relation to the East Bhuggatdih Colliery of M/s Bhuggatdih Colliery Co. (Private) Ltd., P.O. Jharia, District, Dhanbad, and, their workmen in respect of the matters specified below:

**SCHEDULE**

Whether the management of East Bhuggatdih Colliery of Messrs East Bhuggatdih Colliery Company (Private) Limited, Post Office Jharia, (District Dhanbad), were justified in not paying full day's wages to the workers named below on the dates given against each? If so, to what relief are the workers entitled?

Serial No.	Name	Date	Designation
<b>3rd Shift (No. 2 Pit)</b>			
1	Shri Ram Sumar Kurmi	5-8-63	Pick Miner
2	Shri Noha Nand Kowat	Do.	Do.
3	Shri Sumar Bhuian	Do.	Do.
4	Shri Soman Bhuian	Do.	Do.
5	Kalu Pashi	Do.	Do.
6	Shri Mushi Bhar	Do.	Do.
7	Shri Maharaniddin Pandey	Do.	Do.
8	Shri Sukar Bhuian	Do.	Do.
9	Shri Kalu Kurmi	Do.	Do.
10	Shri Ram Suchit Kurmi	Do.	Do.
11	Shri Jagannath Kurmi	Do.	Do.

Sl. No.	Name	Date	Designation
<i>1st Shift</i>			
1	Shri Sheo. Pujan Bhar . . . .	6-8-63	Pick Miner
2	Shri Anroop Bhar . . . .	Do.	Do.
3	Shri Bajrangi Bhar . . . .	Do.	Do.
4	Shri Sambharu Nonia . . . .	Do.	Do.
5	Shri Chabua Bhar . . . .	Do.	Do.
6	Shri Mangron Gausai . . . .	Do.	Do.
<i>3rd Shift</i>			
1	Shri Somar Kurmi . . . .	10-8-63	Pick Miner
2	Shri Nahanand Kowat . . . .	Do.	Do.
3	Shri Munshi Bhar . . . .	Do.	Do.
4	Shri Maharaniddin Pandey . . . .	Do.	Do.
5	Shri Sukar Bhuian . . . .	Do.	Do.
6	Shri Kashi Malla . . . .	Do.	Do.
7	Shri Kalu Kurmi . . . .	Do.	Do.
8	Shri Jagannath Kurmi . . . .	Do.	Do.
9	Shri Kalu Pashi . . . .	Do.	Do.
10	Shri Ram Suchit Kurmi . . . .	Do.	Do.
11	Shri Chhota Mali . . . .	Do.	Do.
12	Shri Ram Khelawan Garoria . . . .	Do.	Do.
13	Shri Baraka Kunjhi . . . .	Do.	Do.
14	Shri Guru Pashi . . . .	Do.	Loader
15	Shri Beni Pashi . . . .	Do.	Do.
16	Shri Ramdas Pashi No. 2 . . . .	Do.	Do.
17	Shri Nankhiu Jaiswara . . . .	Do.	Do.
18	Shri Respal Jaiswara . . . .	Do.	Do.
19	Shri Shital Lohar . . . .	Do.	Do.
20	Shri Dal Singal Jaiswara . . . .	Do.	Do.
21	Shri Kalapal Jaiawara . . . .	Do.	Do.
22	Shri Ram Swaroop Jaiswara . . . .	Do.	Do.
23	Shri Phulehen Bhar . . . .	Do.	Do.
24	Shri Ramu Gwala . . . .	Do.	Do.

2. The management filed its written statement on 7th February, 1964. Its case was that the subject matter of the reference is already covered by the Coal Awards and, therefore, the matter should have been referred under Section 361 of the Act. Its further case on merits was that the workmen, being piece-rated workers, are entitled to receive payments only in respect of work done by them. This contract of service was modified by the Coal Awards, namely, Mazumdar Award, Labour Appellate Tribunal decision and Das Gupta Award, to this extent only that if a piece-rated worker is unable to do his workload for factors beyond his control, he would be paid a minimum guaranteed wages equivalent to 75% of his category wages after review at the end of the week. On this principle, the claim of the Union for full wages for the days in question, i.e. on 5th August, 1963 in the third shift and on 8th August, 1963 in the first shift and on 10th August, 1963 in the third shift for the reasons given is untenable as the concerned workers had earned the minimum guaranteed wages in respect of work done in the week.

3. On behalf of the concerned workmen Shri R. N. Sharma, M.L.A., General Secretary, Colliery Mazdoor Sangh, filed a written statement on 6th July, 1964. The defence of the workmen was that they were entitled to Rs. 4.30 per head per day, for the reasons given, which is the normal day's average earning for each worker.

4. Sarvashri B. P. Dabral, Group Labour Officer and K. V. Ayyar, Group Welfare Officer of the Company, represented the management. Shri B. N. Sharma, President, Congress Mazdoor Sangh, represented the concerned workmen.

5. It may be mentioned that originally Colliery Mazdoor Sangh, which sponsored the dispute of the concerned workmen and represented them before the Conciliation Officer and at whose instance the present reference was made, was only named in the letter of reference. Before the Tribunal also, Colliery Mazdoor Sangh filed the written statement on behalf of the concerned workmen.

Notice was also issued by the Tribunal to the Colliery Mazdoor Sangh. But on 21st August, 1965 Shri B. N. Sharma, President, Congress Mazdoor Sangh, appeared and filed an authority signed or thumb impressioned by all the concerned workmen, who said in their letter dated 21st August, 1965 that they had authorized Shri B. N. Sharma aforesaid, to represent them as they are now members of the Congress Mazdoor Sangh and they have left Colliery Mazdoor Sangh. The Colliery Mazdoor Sangh was unrepresented and inspite of personal service of notice to appear on 19th August, 1965 did not appear nor did take any steps. On 19th August, 1965 also Shri B. N. Sharma represented the concerned workmen. In these circumstances, the Congress Mazdoor Sangh was allowed, as desired by the concerned workmen themselves, to represent them before the Tribunal.

6. On 21st August, 1965, both parties filed documents, which, with mutual consent, were taken in evidence and marked as exhibits. The document of the Company was marked Ext. H and the documents of the workmen were marked Exts. W to W4.

7. The parties on 21st August, 1965, after getting their documents exhibited, came to an amicable understanding amongst themselves and desired the Tribunal to dictate an order giving effect to their wishes, with their consent, in open Court in their presence and to dispose of the reference in terms of the said order.

8. I accordingly, as desired by both the parties, dictated the following order, which was accepted by them:

- (a) This reference, which has been referred to the Tribunal for adjudication, concerns only the above named 32 workmen working in 3 shifts on 5th August, 1963; 8th August, 1963 and 10th August, 1963.
- (b) According to the management, the workmen have been paid more than the minimum guaranteed wages, mentioned in Chapter VIII, Paragraphs 760 to 766 of the All India Industrial Tribunal (Colliery Disputes) Award, commonly known as 'Masumdar Award', and, published in the Gazette of India, at pages 1158 to 1160, and, therefore, the stand taken by the management was that in this view the concerned workmen are not entitled at all to claim full days' wages at the rate of Rs. 4.80 paise per day. According to the union, of which Shri B. N. Sharma is the President, and which now represents the workmen concerned, the demand of the workmen is justified, because the award just mentioned does not cover their cases.
- (c) In course of discussions before the Tribunal, it transpired that the subject matter of this reference as applicable to all the collieries is pending before the Central Wage Board for the Coal Mining Industry, presided over by Shri Salim M. Merchant, and if, and when, the recommendation will be made and if it is accepted by the Central Government, it will bind all the Collieries and, therefore, all the Colliery owners and their workmen.
- (d) Question—34(b) of the Questionnaire issued by the said Wage Board, reads as under:—  
 "Is the existing rate and method of determining the minimum guaranteed wage (for back wage) for piece-rated workers satisfactory? If not, what provision would you suggest for the various piece-rated workers in your unit?....."
- (e) In this view of the matter, Shri B. N. Sharma very frankly, and rightly, made it clear that he did not press that the present dispute should be made applicable to any workman other the 32 concerned workmen or to other Collieries or that this Tribunal should decide the main principle governing all the Collieries in these circumstances. He, however, suggested and very rightly, that the concerned workmen should be paid cost, because this dispute is pending since August, 1963.
- (f) Taking, therefore, all the facts and circumstances into consideration, and, without deciding any principle affecting the Collieries in general or this Colliery in particular or the Colliery owners in general or these concerned employers in this reference in particular or the Colliery workmen in general or the particular Colliery workmen concerned and without prejudicing in any manner whatsoever any of the two parties before this Tribunal in respect of the matter in dispute, which may subsequently be finally decided, after the decision of the Wage Board, I direct that it is not necessary to proceed with this reference and to decide the dispute under reference, which will abide and will be governed ultimately by the final decision taken after



the decision of the Central Wage Board for the Coal Mining Industry, which is sitting.

- (g) The management, however, must pay a sum of Rs. 150/- as cost of this proceeding to the workmen concerned, which has been paid to Shri B. N. Sharma, representing the concerned workmen, before the Tribunal on 23rd August, 1965.
- (h) With the consent of the parties and in their presence, the above order was dictated at their joint request.

9. The reference is accordingly answered in terms of the above order in Paragraph 8 and, therefore, it is directed that the present industrial dispute of the concerned workmen will await and be governed by the final decision of the Central Government after the recommendation of the Central Wage Board for the Coal Mining Industry.

10. This is my award, which I make and submit to the Central Government under Section 15 of the Act.

(Sd.) RAJ KISHORE PRASAD,  
Presiding Officer.  
[No. 1/23/63-LRII.]

### ORDERS

*New Delhi, the 31st August 1965*

**S.O. 2835.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Central Bank of India Ltd. and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. L. Gosain shall be the Presiding Officer, with headquarters at Chandigarh and refers the said dispute for adjudication to the said Tribunal.

### SCHEDULE

Whether the management of the Central Bank of India Ltd. was justified in treating Shri Parshotam Singh Thakur (Godown keeper-cum-Assistant Cashier) as a temporary employee with effect from 15th October 1962? If not, from what date is the workman liable to be confirmed, and to what other relief is the workman entitled?

[No. 51(36)/65-LRIV.]

**S.O. 2836.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Central Bank of India Ltd. and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. L. Gosain shall be the Presiding Officer, with headquarters at Chandigarh and refers the said dispute for adjudication to the said Tribunal.

### SCHEDULE

- (1) Whether the Management of the Central Bank of India Limited was justified in treating Shri Ram Karan Gupta only as a temporary employee and in subsequently terminating his services with effect from 30th May, 1964?
- (2) If not, to what relief is the employee entitled?

[No. 51(34)/65-LRIV.]

**S.O. 2837.**—Whereas the employers in relation to M/s. Great Eastern Shipping Company Ltd., and their workmen represented by the Transport and Dock Workers' Union, Bombay have jointly applied to the Central Government for reference of an industrial dispute that exists between them in respect of the matter set forth in the said application and reproduced in the Schedule hereto annexed, to a tribunal;

And, whereas the Central Government is satisfied that the persons applying represent the majority of each party;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

#### SCHEDULE

Whether the Dock employees including the daily rated workmen employed by M/s. Great Eastern Shipping Company Ltd. Bombay are entitled to additional dearness allowance as demanded by the Union vide its letter No. TD/183/785/65 dated the 5th April 1965, addressed to the Employers. If so from which date?

[No. 28/81/65-LRIV.]

*New Delhi, the 2nd September 1965*

**S.O. 2838.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Mondal's Bilbera Colliery, Post Office Katrasgarh, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad constituted under section 7A of the said Act.

#### SCHEDULE

Whether the management of Mondal's Bilbera Colliery refused employment to Shri Burhan Singh, Onsetter, with effect from the 10th March, 1965 without any justification?

If so, to what relief is the workman entitled?

[No. 2/81/65-LRII.]

**S.O. 2839.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the South Busra's Pure Kujama Colliery, (Post Office Jharia, District Dhanbad), and Messrs Central Kujama Coal Concern, Jharia, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

I. Whether the action of the management of the South Busra's Pure Kujama Colliery, in terminating the employment of their workmen, whose names are given in Annexure 'A', with effect from the 1st October, 1964 was justified? If not, to what relief are the workmen entitled?

II. Whether the ownership of the South Busra's Pure Kujama Colliery stands transferred in the name of Messrs Central Kujama Coal Concern, with effect from the 7th October, 1964? If so, whether or not the workmen's demands—

(i) that the change of ownership will not mean any break in their service,

- (ii) that their existing service conditions and facilities will be continued as before, and
- (iii) that the new ownership will be liable to pay the full unpaid dues of the workmen, is justified?

In either case, to what relief are the workmen entitled?

[No. 1/7/65/LRII.]

*New Delhi, the 4th September 1965*

**S.O. 2840.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Cochin Chamber of Commerce and Industry, Cochin and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the demands of Steamer Tally Clerks' for payment of higher rate of wages for the special shift starting from 3-00 A.M. to 8-00 A.M. during the period 10th November 1964 to 20th February 1965 is justified? If so what rate of wages should be payable to them during the said period?

[No. 28/65/65-LRIV.]

*New Delhi, the 6th September 1965*

**S.O. 2841.**—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court with headquarters at Hyderabad, constituted by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 456, dated the 5th February, 1963 on account of the retirement of the Presiding Officer thereof;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri V. Kameswara Rao, as the Presiding Officer of the said Labour Court.

[No. F. 1/61/65-LR.I.]

**S.O. 2842.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to M/s. Shri Mankeshwar Mechanical Works, Bombay and their workmen as represented by the Transport and Dock Workers' Union, Bombay, in respect of the matters specified in the Schedule hereto annexed ;

And Whereas the Central Government considers it desirable to refer the said dispute for adjudication ;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

#### SCHEDULE I

I. Whether the following demands of the workmen are justified ?

- (i) Increase in wages.
- (ii) Issue of Attendance Cards and Photo Identity Cards.
- (iii) Grant of interim relief.
- (iv) Grant of Stream allowance.
- (v) Increase in the strength of employees.
- (vi) Introduction of Gratuity Scheme.

If so, to what relief are the workers entitled ?

II. Whether the termination of the services of the following workmen was justified ? If not, to what relief are these workers entitled ?

Serial No.	Name of the Worker	Category
1	Shri Aba Tukaram . . . . .	Mazdoor Mukadam
2	Shri Adya Prasad Parasnath . . . . .	Gas-Cutter
3	Shri Banarsi Shiv Balak . . . . .	Mazdoor
4	Shri Bansai Munoo . . . . .	Mazdoor
5	Shri Bhurakundi Kalidin . . . . .	Mazdoor
6	Shri Hasann Ali Abdul Rehman . . . . .	Mazdoor
7	Shri Jagpat Prem Shanker . . . . .	Assistant Gas-Cutter
	Shri Jainarayan Bhagwati . . . . .	Boiler-maker-Mistry
	Shri Jairam Pati . . . . .	Mazdoor
10	Shri Jetba Shanker Balikaran . . . . .	Welder
11	Shri Jinjam Shyam Sunder . . . . .	Mazdoor
12	Shri Jumman Rehmatullah . . . . .	Mazdoor
13	Shri Laltaprasad Shobhnath . . . . .	Gas-cutter
14	Shri Laltaprasad Shanker . . . . .	Mazdoor
15	Shri Prasidhnarayan Shrinarayan . . . . .	Mazdoor
16	Shri Pherai Bhagoo . . . . .	Boiler-maker
17	Shri Rampath Badri . . . . .	Welder
18	Shri Ramprasad Shiv Murat . . . . .	Welder
19	Shri Ram Nihor Matabig . . . . .	Mazdoor
20	Shri Ramraj Jokhai . . . . .	Mazdoor
21	Shri Ram Moorat Sadloo . . . . .	Mazdoor
22	Shri Ram Baran Munoo . . . . .	Mazdoor
23	Shri Ramgen Shobhnath . . . . .	Assistant Gas-Cutter
24	Shri Ramkewal Ram Nirnanjan . . . . .	Mazdoor
25	Shri Ramlakhan Kashiram . . . . .	Gas-Cutter
26	Shri Sheshnarayan Shiv Murat . . . . .	Welder
27	Shri Sripat Abhairaj . . . . .	Hammerman

[No. 28/78/65-LRIV]

S.O. 2843.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Khas Jairampur Colliery of Messrs. Khas Jairampur Colliery Company (Private) Limited, P.O. Khas Jeenagora, Distt. Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

- (i) "Whether the action of the management in dismissing Shri Bidya Singh, Night Guard and Sri Ram Keshar Singh, Munshi with effect from the 23rd February 1965 was justified? If not, to what relief are these workmen entitled?
- (ii) "Whether the action of the management in suspending Shri Bal Govind Pasi, Miner for ten days with effect from the 23rd February, 1965 was justified? If not, to what relief is the workman entitled?

[No. 2/77/65-LRII.]

H. C. MANGHANI, Under Secy.

*New Delhi, the 1st September 1965*

**S.O. 2844**—In pursuance of the provisions of Bye-law XI (4) of the Bye-laws of the National Council for Safety in Mines, the Central Government hereby publishes the first audited accounts of receipts and expenditure of the National Council for Safety in Mines, for the period from August, 1963 to March, 1964, along with the Auditor's Report.

*Audit Report on the accounts of the National Council for Safety in Mines, Dhanbad, for the period from August, 1963 to March, 1964*

1. The audit of the accounts of the National Council for Safety in Mines, Dhanbad, for the period from August, 1963 (Month of starting of the Council) to 31st March, 1964, the results of which are embodied below, was conducted by the Accountant General, Bihar, in accordance with clause XI(2) of the bye-laws of the Council.

2. A statement of receipts and expenditure of the Council for the said period is exhibited in the annexure to this report, with necessary certificate of audit.

3. This Audit Report embodies only the major and important irregularities and not the minor ones which have been included in a separate Note not published.

4. The Memorandum of Association of the Council lays down in detail the main objectives for which the Council is established. According to these objectives, the Council is expected to chalk out various schemes with full details. The Council during the period under report had, however, only one broad scheme viz. "Propaganda and Publicity for Safety in Mines". The Propaganda and Publicity work actually forms a part of various activities of the Council. As such different schemes should have been prepared according to the objectives of the Council. As this was not done the expenditure under pay of officers etc. has not been shown under different schemes as required under "Bye-law III(2) of the Bye-Laws of the Council".

A scrutiny of the expenditure incurred during the financial year ending 31st March, 1964, as per details given in the Annexure to the report revealed that the percentage of expenditure incurred over the objects for which the Council has been constituted as compared to the total expenditure including the administrative cost was about 29 per cent only. The desirability of minimising the administrative cost of the Council in future may be considered. The expenditure of Rs. 9,237.44P on propaganda and publicity work would also indicate that sufficient consideration has to be shown by the Council in future towards the objectives for which it has been constituted.

5. According to para 2(c) of the Memorandum of Association, the Council is to impose and recover fees for services rendered. The Director stated that Rules for realisation of fees have not yet been framed. These rules may be framed at an early date so that the Council may realise the legitimate dues.

6. As required under rule 16 of the Rules of the Council no balance sheet was prepared and produced before audit. This may be done in future.

Sd/- A. GHOSH,  
Accountant General, Bihar.

# ANNEXURE

(Referred to in Para 2 of the Report)

Statement of receipts and expenditure of the Office of the National Council for Safety in Mines, Dhanbad for the period from August, 1963 to 31st March, 1964.

<i>Receipts</i>		<i>Expenditure</i>	
Receipts from the following heads		Actual expenditure incurred on account of the following items :—	
1. The Mica Mines Labour Welfare Fund (Andhra Pradesh, Nellore).	Rs. P. 6,296·00	(a) Administration of the Council	Rs. P.
2. The Coal Mines Labour Welfare Fund, Dhanbad, Bihar.	6,14,020·00	C-1. Pay of Officers	10,756·78
		C-2. Pay of Establishment	2,807·50
		C. 3. Allowances, Hon. etc.	
3. The Mica Mines Labour Welfare Fund, Bihar.	14,048·00	Travelling allowance	4,029·54
		Dearness Allowance	526·46
		Deputation Allowance	889·95
		Medical Expenses	262·14
		Overtime Allowance	163·05
		(b) Measures taken in connection with the objects of the Council-Scheme for Publicity and Propaganda for Safety in Mines	19,435·42
		(c) Miscellaneous	9,237·44
		N.B.—Details of (b) & (c) above :—	
		C-4. Other Charges	
		Recurring contingent expenditure	11,737·98

Non-recurring contingent ex-  
penditure

1,124.39

12,862.37

TOTAL—EXPENDITURE . 32,297.79  
Closing Balance . 6,02,066.21

TOTAL RECEIPTS	6,34,364.00	TOTAL	6,34,364.00
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Details of closing Balance are as follows :—

In bank	Rs.	6,02,064.26 P.
Cash in hand		1.95 P.
		6,02,066.21 P.

I have examined the foregoing accounts of the Council. I have obtained all the information and explanations that I have required and subject to the observations in the separate Audit Report/Note, I certify, as a result of my audit, that in my opinion, these accounts are properly drawn up so as to exhibit a true and fair view of the state of affairs of the Council according to the best of my information and explanations given to me and as shown by the books of the Council.

Sd/- A. GHOSH,  
Accountant General, Bihar.

[No. 21/1/65-MI.]  
R. C. SAKSENA, Under Secy.

# **MINISTRY OF FOOD AND AGRICULTURE**

**(Department of Agriculture)**

*New Delhi, the 3rd July 1965*

**S.O. 2845.**—In pursuance of clauses (i) and (k) of rule 4 of the General Grading and Marking Rules, 1937, and in partial modification of the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. G.S.R. 1305 dated the 26th October, 1960, the Central Government hereby fixes with effect from the 1st day of August, 1965, a charge of eighty paise per ten kilograms for Sandalwood oil packed and sealed with Agmark labels.

[No. F.14-1/65-AM.]

*New Delhi, the 4th September 1965*

**S.O. 2846.**—In exercise of the powers conferred by section 8 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby declares that the provisions of the said Act shall apply to the following article namely:—

**Sheekakai Powder.**

[No. F. 15-28/65-A.M.]

**S.O. 2847.**—The following draft of certain rules to amend the Onions Grading and Marking Rules, 1964, which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) are published, as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 30th September, 1965.

Any objection or suggestions which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

## *Draft Rules*

1. These rules may be called the Onions Grading and Marking (Amendment) Rules, 1965.
2. In the Onions Grading and Marking Rules, 1964,—
  - (i) in rules 3 and 4, for the words and figures "Schedules II to VI", the words and figures "Schedules II to VII" shall be substituted;
  - (ii) after the existing Schedule VI, the following Schedule shall be inserted namely:

### **"SCHEDULE VII**

(See rules 3 and 4)

*Grade designations and definition of quality of white onions (Allium cepa L) produced in parts of Maharashtra/Mysore State.*

Grade Designation	Special Characteristics		General Characteristics.
	Size (diameter) in mm. (Minimum)	Colour	
(1)	(2)	(3)	(4)
Big	40	white to silvery white	The bulbs shall :—
Medium	25	Do.	(1) be reasonably uniform in shape, colour and pungency characteristics of the variety type;
Mixed	Different sizes of a variety, not below 20 mm.	Do.	(2) be mature, solid in feel, reasonably firm with tough clinging skins, free from doubles and bottle-necks;



(1)	(2)	(3)	(4)
		(3) be thoroughly cured and dried; and	
		(4) be free from damage caused by seed-stems, tops, roots, moisture, dry sunscald, sunburn, sprouting, diseases, insects and mechanical or other injuries and staining dirt or other foreign material.	

NOTE.—1. Tolerance for size: For accidental errors in sizing, not more than 5 per cent by weight of the bulbs in any lot may be of the next lower grade, than the minimum diameter prescribed.

2. Tolerance for requirements in respect of General Characteristics: To allow for variations other than size, incident to proper grading and handling not more than 10 per cent by weight of the onions in any lot may fail to meet the requirements specified under General Characteristics including therein, not more than 2 per cent for onions which are affected by decay.

Mixed: This grade may be packed against a firm order only".

[No. F. 15-24/65-AM.]

### CORRIGENDUM

*New Delhi, the 28th August 1965*

**S.O. 2848.**—In the Tapioca Products (Animal Feed) Grading and Marking Rules, 1965, published under the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. S.O. 1583 dated the 7th May, 1965, on pages 1806 to 1809 of the Gazette of India, Part II, Section 3 (ii), dated the 22nd May, 1965 at page 1809, in Schedule II—

- (i) in the heading of column 5, for "Acid insoluble ash" read "Acid insoluble ash maximum";
- (ii) in the heading of column 8, for "Alcoholic acidity (as HSO)" read "Alcoholic acidity (as H<sub>2</sub> SO<sub>4</sub>)";
- (iii) The entry adopted from IS: 1509—1959 and IS:1510—1959 "occurring in column 2 above the bottom line shall be read as occurring below that line.

[No. F. 15-26/65-AM.]

SANTOKH SINGH, Under Secy.

### (Department of Agriculture)

*New Delhi, the 11th September 1965*

**S.O. 2849.**—The following draft of certain rules which the Central Government proposes to make in exercise of the powers conferred by section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960) is published for general information, as required by sub-section (1) of the said section and notice is hereby given that the said draft will be taken into consideration on or after the 30th September, 1965.

Any objection or suggestion which may be received from any person in respect of the said draft before the aforesaid date will be considered by the Central Government.

*Committee for Controlling and Supervising Experiments on Animals  
(Administration) Rules, 1965*

1. **Short title.**—These rules may be called the Committee for Controlling and Surviving Experiments on Animals (Administration) Rules, 1965.

**2. Definitions.**—In these rules, unless the context otherwise requires,—

- (a) "Act" means the Prevention of Cruelty to Animals Act, 1960 (59 of 1960);
- (b) "Board" means the Animal Welfare Board established under section 4 of the Act;
- (c) "Chairman" means the Chairman of the Committee nominated under sub-section (2) of section 15 of the Act;
- (d) "Committee" means the Committee for Controlling and Supervising Experiments on Animals constituted under section 15 of the Act;
- (e) "member" means a member of the Committee; and
- (f) "Secretary" means the Secretary to the Committee.

**3. Headquarters of the Committee.**—The headquarters of the Committee shall be at such place as the Central Government may, after consultation with the Committee, direct.

**4. Term of office of non-official members.**—Subject to provision of these rules, the term of office of a non-official member shall be three years from the date he assumes charge of his office.

**5. Resignation.**—(1) A member, other than the Chairman, may be a letter addressed to the Chairman, resign his membership. (2) The Chairman may resign his membership by a letter addressed to the Secretary to the Government of India, Ministry of Food and Agriculture (Department of Agriculture). (3) A resignation shall take effect from the date of its acceptance or on the expiry of thirty days from the date of resignation, whichever is earlier.

**6. Removal from the Committee.**—(1) The Central Government may remove from office any member who,—

- (a) absents himself from three consecutive meetings of the Committee without the leave of the Committee, or
- (b) has been adjudged an insolvent; or
- (c) has been convicted of an offence involving moral turpitude; or
- (d) has become physically or mentally incapable of acting as such member.

(2) No person shall be removed from office as a member except after being given an opportunity of showing cause against such removal.

**7. Disposal of business.**—(1) All questions which the Committee is required to consider shall be considered either at its meeting or by circulation of papers, as the Chairman may direct.

(2) When a question is referred by circulation of papers, any member may request that the question be considered at a meeting of the Committee and thereupon the Chairman may direct that it be so considered:

Provided that if four or more members make such a request, the Chairman shall direct that it be so considered.

**8. Meetings of the Committee.**—(1) The Committee shall meet not less than twice a year or more often if the Chairman thinks it necessary for transaction of its business.

(2) The meetings shall ordinarily be held at the headquarters of the Committee but the Chairman may, if necessary, fix the venue of the meetings at places other than the headquarters of the Committee.

**9. Annual General Meeting.**—(1) Of the meetings of the Committee held annually, one shall be the annual general meeting.

(2) At the annual general meeting which shall be held before the 28th February each year, the Secretary shall submit the annual report and the yearly accounts of the Committee for the working of the preceding financial year and the budget for the next financial year for the approval of the Committee.

**10. Special meetings.**—(1) The Chairman shall convene a special meeting of the Committee on the written requisition of not less than five members of the Committee.

(2) Any requisition made by the members of the Committee shall specify the object of the meeting proposed to be called and shall be left at the address of the Secretary or posted to his address.

(3) Upon such requisition, the Chairman shall give notice of a meeting to be held within thirty days after the receipt of such requisition.

**11. Form of notice of meetings.**—Every notice calling a meeting of the Committee shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Committee not less than fourteen clear days before the day appointed for the meeting, other than the annual general meeting in which case the period of notice shall be not less than twenty-one days.

**12. Quorum for meetings.**—Five members of the Committee shall form a quorum at every meeting of the Committee:

Provided that at any meeting in which less than five members are present, the Chairman may adjourn the meeting to a date not less than fourteen days later and inform the members present and notify other members that he proposes to dispose of the business at such adjourned meeting irrespective of the number of members attending.

**13. Procedure at meetings.**—(1) If the Chairman is not present at any meeting of the Committee the members of the Committee shall choose one from among themselves to be the Chairman of the meeting.

(2) In case of difference of opinion amongst the members at the meetings of the Committee, the opinion of the majority shall prevail.

(3) Each member shall have one vote and if there shall be equality of votes on any question to be decided at a meeting of the Committee, the Chairman of the meeting shall have a casting vote.

(4) No business which is not on the agenda shall be considered at any meeting without the permission of the Chairman.

**14. Allowances and remuneration.**—(1) No remuneration shall be paid to any member on account of his services as such.

(2) A member who is not an official shall be entitled to draw in respect of any journey performed for the purpose of attending a meeting of the Committee or of a sub-committee thereof or any other association or society to which he is appointed or nominated as a representative of the Committee or any other journey in connection with the work of the Committee performed under the directions of the Chairman:—

(a) where he is not a Member of Parliament, travelling and daily allowance at rates admissible to a Government servant of the first grade serving under the Central Government;

(b) where he is a Member of Parliament:—

(i) travelling or conveyance allowance to recoup any expenditure incurred by him in performing such journey at a rate not exceeding the allowance admissible to a Member of Parliament appointed to a sub-committee set up by the Central Government;

(ii) daily allowance at a rate not exceeding the rate to which a Member of Parliament is entitled under the Salaries and Allowances of Members of Parliament Act, 1954.

(3) A member who is an official shall be entitled to draw, in the circumstances mentioned under sub-rule (2), travelling and daily allowance in accordance with the travelling allowance rules applicable to him.

(4) Where a person who is not an official or a member is asked by the Chairman to perform any journey for the purpose of attending a meeting of the Committee or of a sub-committee thereof or any other journey in connection with the work of the Committee he shall in respect of such journey be entitled to the payment of travelling or conveyance allowance or daily allowance at the rates specified in sub-rule (2).

**15. Powers of the Committee to appoint sub-committees.**—The Committee may, by resolution, appoint one or more sub-committees from among its members for the discharge of its functions.

**16. Powers of the Committee to co-opt other persons.**—(1) The Committee may co-opt such persons to its sub-committees as it considers necessary and suitable and may permit them to attend the meetings of such sub-committees.

(2) A person co-opted under sub-rule (1) or any purpose shall have the right to take part in the discussions relevant to that purpose, but shall not have the right to vote.

**17. Powers and duties of the Chairman.**—(1) The Chairman shall preside at meetings of the Committee.

(2) The Chairman shall be responsible for the proper functioning of the Committee and the implementation of its decisions and the discharge of its duties under the Act.

(3) The Chairman shall—

- (a) cause important papers and matters to be presented to the Committee as early as practicable;
- (b) issue directions as to the method of carrying out the decisions of the Committee;
- (c) cause to be maintained an account of the receipt and expenditure of the Committee; and
- (d) cause an annual report of the working of the Committee to be prepared which after being approved at its annual general meeting shall be submitted to the Central Government.

(4) The Chairman shall exercise administrative control over all employees of the Committee.

(5) The Chairman shall exercise such administrative and financial powers as are specified in column 2 of the Schedule annexed to these rules subject to the limits and restrictions specified in the corresponding entries in column 3 thereof.

**18. Powers of the Secretary.**—(1) The Secretary shall work under the general control of the Chairman who may delegate to him all or any of the following powers and duties:—

- (a) convening of meetings of the Committee under the directions of the Chairman;
- (b) drawing up agenda for each meeting under the Chairman's directions and supplying the same to each member of the Committee, along with the notice of the meeting;
- (c) maintenance of minutes of meetings of the Committee;
- (d) furnishing to the Central Government copies of all reports, including annual reports and returns and necessary documents required under the Act or the rules made thereunder;
- (e) preparation of the annual budget of the Committee.

(2) The Chairman may, with the permission of the Committee, delegate to the Secretary any other function of the Committee or of the Chairman.

(3) The Secretary shall exercise such administrative and financial powers as are specified in column 2 of the said Schedule subject to the limits and restrictions specified in the corresponding entries in column 4 thereof.

(4) The Secretary shall keep a record of the members and their addresses.

(5) If a member changes his address, he shall notify his new address to the Secretary who shall thereupon enter his new address in the record, but if the member fails to notify his new address, the address on the official record shall for all purposes be deemed to be the member's address.

**19. Preparation and submission of annual budget estimates.**—(1) The budget estimates of the Committee for every financial year beginning with the first day of April and ending on the 31st day of March following shall be prepared in advance by the Secretary.

(2) A copy of the budget estimates so prepared shall be sent to each member.

(3) The Committee shall consider and approve the budget estimates with such changes as it thinks fit at the meeting fixed for the consideration of the budget estimates.

(4) The budget estimates as approved by the Committee shall be submitted to the Central Government for their formal approval before the 31st March or such other date preceding the concerned financial year as the Central Government may fix for the purpose.

(5) Subject to such orders as may be issued by the Central Government from time to time, no expenditure shall be incurred until the budget is sanctioned by the Central Government and the expenditure is authorised by the appropriate authority in the Committee.

**21. Investment and withdrawal of moneys.**—(1) The bankers of the Committee shall be the State Bank of India.

(2) All funds of the Committee shall be paid into the Committee's account and shall not be withdrawn except on cheques signed by the Chairman for the purpose and countersigned by the Secretary.

(3) Cheque books shall remain in the personal custody of the Secretary.

**22. Permanent advance.**—There shall be drawn from the bank and kept at the disposal of the Secretary a permanent advance of Rs. 500/- to be recouped as and when required, to meet the petty expenditure of the office of the Committee.

**23. Contracts.**—(1) The draft of every contract involving consideration exceeding Rs. 5000/- shall be submitted to the legal adviser appointed by the Committee for the purpose, for verification as to its legality and the correctness of its form. Such contracts shall be executed only with the prior approval of the Committee or of any of its sub-committees competent for the purpose and shall bear the seal of the Committee.

(2) Neither the Chairman, nor any other member of the Committee nor the Secretary shall be personally liable for any assurance or contract made under this rule; any liability arising under such assurance or contract shall be discharged from out of the money at the disposal of the Committee.

**24. Accounts and Audit.**—(1) The Committee shall maintain proper accounts and other relevant records.

(2) The accounts of the Committee shall be audited annually by the Comptroller and Auditor General of India or by any person appointed by him in that behalf and any expenses incurred in connection with such audit shall be payable by the Committee to the Comptroller and Auditor General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of accounts of the Committee shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of the Committee.

(4) The accounts of the Committee as certified by the Comptroller and Auditor-General of India or any person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government and the Central Government shall cause the same to be laid before each House of Parliament.

(5) The accounts of receipts shall include a statement of all sums received by the Committee during the financial year which shall be shown under the following heads:—

- (a) money received from the Central and State Governments;
- (b) other moneys received by the Committee;
- (c) interest received from the investment of such moneys.

(6) Total receipts shall be shown under each of the heads specified under sub-rule (5) and the opening balance shall also be stated.

(7) The expenditure incurred during the financial year shall be shown under the following heads:—

- (a) administration of the Committee,
- (b) measures taken in connection with the duties and powers of the Committee under sections 17, 18 and 19 of the Act, each item being shown separately; and
- (c) miscellaneous.

(8) The closing balance for the financial year shall be shown at the foot of the accounts on the expenditure side.

**25. Legal advice.**—The Committee shall make its own arrangements to obtain legal advice in respect of contracts or agreements into which it may enter with other parties and other matters, where such advice may be necessary.

**26. Provident Fund.**—The Committee may, with the approval of the Central Government, establish and maintain a contributory provident fund for the benefit of its servants other than servants of the Government whose services may be lent to the Committee and require any of its servants or any class of its servants to subscribe to such fund.

#### THE SCHEDULE

(See Rules 17 and 18)

#### *Powers Delegated to the Chairman and Secretary of the Committee*

Sl. No.	Power	Limits and restrictions	
		Chairman	Secretary
1	2		4
1	(a) To create temporary posts. (for any specified period)	Posts in the scale of pay the maximum of which does not exceed Rs. 900/-	Posts in the scale of pay maximum of which does not exceed Rs. 575/-.
	(b) To make appointments to sanctioned posts.	Do.	Do.
2	(a) To sanction grant of leave	Do.	Do.
	(b) To make officiating arrangements.	Do.	Do.
	(c) To sanction annual increments under Fundamental Rule 26.	..	Full powers provided the increment has not already been withheld.
3	To authorise a member or any other person to proceed on work connected with the Committee to any part of India.	Full powers	..
4	To grant travelling allowances to persons (other than members and employees) required to travel in the interest of the Committee.	According to the status of the person but not exceeding amount admissible under the Supplementary Rules of the Government of India.	..

1	2	3	4
5	To authorise employees of the Committee to proceed on duty to any part of India and to grant them travelling allowance in accordance with the Supplementary Rules of the Government of India.	Secretary	All employees other than Secretary.
6	To countersign pay and travelling allowance bills.	Travelling allowance bills of Secretary.	(i) Pay and travelling allowance bills of a employees, except the Secretary.  (ii) Travelling allowance bill of :  (a) Non-Official members.  (b) Persons, other than members and employees who are required to travel in the interests of the Board.
7	To sanction advances for the purchase of conveyance in accordance with the rules made by the Government of India, in that behalf.	Secretary.	All employees except Secretary.
8	To grant concessions to persons proceeding to Pasteur Institute for anti-rabic treatment in accordance with the rules made by Government of India, in that behalf.	Do.	Do.
9	To institute criminal proceedings against employees.	Full powers	..
10	To sanction premature increments.	Posts in the scale of pay the maximum of which does not exceed Rs. 900/-	Posts in the scale of pay the maximum of which does not exceed Rs. 575/-.
11	To sanction travelling allowance advances.	..	Full powers.
12	To sanction the grant or acceptance of an honorarium or fee and to sanction the undertaking of work for which an honorarium or fee is sanctioned.	Upto Rs. 1,000/- in any individual case.	Upto Rs. 250/- in any individual case.  (Provided in the case of honorarium or fee sanctioned to a Government servant, the State or the Central Government as the case may be, shall be informed).
13	To sanction expenditure of miscellaneous or contingent nature.	Maximum Limit Miscellaneous Expenditure Rs. 1,000	Maximum limit Recurring Non-Miscellaneous Recurring Expenditure Rs. 200/ Miscellaneous Expenditure Rs. 1,000/- Recurring Non-Contingent Recurring Expenditure Contingent

1	2	3	4
			Rs. 1,000 per annum in each case. Expenditure Rs. 5,000 per annum in each case
14	To write off losses.		
	(a) Irrecoverable losses of stores or of public money.	..	Rs. 1,000/-.
	(b) Loss of revenue, irrecoverable loans and advances.	..	Do.
	(c) Deficiencies and depreciation in the value of stores included in the stock and other accounts.	..	Rs. 1,000/.
15	To sanction medical attendance fee and cost of medicines for the servants of the Committee, subject to the rules made by the Committee.	For the Secretary, full powers.	Full powers for other employees.
16	To appoint authorised medical attendants on the panel.	..	Full powers.
17	To declare a servant of the Committee to be a ministerial servant.	..	Full powers.
18	(a) To retain non-ministerial Government servants in service after the age of 55 and not beyond the age of 60.	Full powers in the case of staff drawing pay in time scale, the maximum of which is over Rs. 575/- and does not exceed Rs. 900/-.	Full powers in the case of staff drawing pay in the scales, the maximum of which does not exceed Rs. 575/-.
	(b) To retain a class IV servant in the service of the Committee after the age of 60 and not beyond the age of 65.	..	Full powers.
19	To retain a ministerial servant of the Committee in service after the age of 55 and not beyond the age of 60.	..	Full powers in the case of staff drawing pay in the scales the maximum of which does not exceed Rs. 500/- and provided extensions are limited to one year at a time.
20	Power to order destruction of records.	..	Full powers.
21	To order sale by auction or otherwise in the interest of the Committee of unserviceable stores of perishable articles.	..	Full powers.
22	Power to impose all the penalties	Full power in the case of the employees appointed by Chairman.	Full power in the case of the appointed by Secretary.
23	Power to make small monthly payments to class IV servants for dusting offices, for doing cyclostyling work, etc. in addition to their own duties.	..	Full powers, provided the payment in each case does not exceed Rs. 15/- p.m.
24	Re-appropriation of funds	..	Full power to reappropriate funds from one primary unit to another provided that budget is not exceeded thereby.



1	2	3	4
25	Passing bills for payment of grant-in-aid for schemes already sanctioned by competent authority.	..	Full powers.
26	Attesting entries in cash book.	..	Full powers.
27	Checking monthly cash balance.	..	Full powers.
28	Attesting entries in service books	..	Full powers.
29	To sanction an advance to the servants of the Committee out of contributory provident fund.	(i) Amount exceeding three month's pay of the subscriber.  (ii) Before the expiry of 12 months after the final repayment of all previous advances together with the interest thereon.	Amount not exceeding three month's pay of the subscriber.
30	Remission of disallowance by Audit and writing off over payments made to the servants of the Committee.	..	Full powers' subject to the provisions of para 49 of General Financial Rules, Vol. I.
31	Grant of overtime allowances to staff.	..	Full powers.

[No.16-2/64-LD]

K. C. SARKAR, Under Secy.

## MINISTRY OF PETROLEUM AND CHEMICALS

*New Delhi, the 28th August 1965*

**S.O. 2850.**—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from the drill sites to collecting stations within the Ankleshwar Oil field in Gujarat State, pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority at Lalchandra Maganbhai Patel's Building, 4th floor, Sayaji Ganj, Lokmanya Tilak Road, Baroda, in the office of the Gujarat Pipeline Project (Oil and Natural Gas Commission). Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

### SCHEDULE

State—Gujarat

District—Broach

Taluka—Ankleshwar

Village	Survey No.	Area required in Gunthas.
Adol	274	3.6
"	275	2.8
"	278	1.0
"	277	1.0
"	285/2	3.4

*New Delhi, the 2nd September 1965*

**S.O. 2851.**—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 2049 dated the 29th June, 1965 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And, whereas the Competent Authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that Section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE				
State—West Bengal	District—Midnapore		Thana—Manhisadal	
Village	Survey Nos. (Plot no.s)	Extent (Area)	Survey Nos. (Plot nos.)	Extent (Area)
Kalikakundu J.L. 148	77	·0		
	1925	·20		
	2380	·16		
	2416	·08		

[No. 31(33)/63-ONG-Vol. 4.]

*New Delhi, the 3rd September 1965*

**S.O. 2852.**—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from the drill sites to collecting stations within the Ankleshwar Oil field in Gujarat State, pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such pipelines, it is necessary acquire the right of user in the land described in the schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority at Lalitchandra Maganbhai Patel's Building, 4th Floor, Sayaji Ganj, Lokmanya Tilak Road, Baroda, in the office of the Gujarat Pipeline Project (Oil and Natural Gas Commission). Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE		
State—Gujarat	District—Broach	Taluka—Ankleshwar
Village	Survey No.	Area required in Gunthas
Pilodra . . . . .	238	3·2

[No. 31/67/63-ONG-Vol. 2.]

C. P. JACOB, Under Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 7th September 1965

**S.O. 2853.**—In exercise of the powers conferred by sub-section (2) of section 45 of the Banking Companies Act, 1949, the Central Government, after considering an application made by the Reserve Bank of India under sub-section (1) of that section, hereby makes an order of moratorium in respect of the Habib Bank Limited, Bombay, for the period from the close of business on the 7th September 1965 up to and inclusive of the 6th January 1966 and hereby stays the commencement or continuance of all actions and proceedings against that banking company during the period of moratorium subject to the condition that such stay shall not in any manner prejudice the exercise by the Central Government of its powers under clause (b) of sub-section (4) of section 35 of the said Act or the exercise by the Reserve Bank of India of its powers under section 38 of the said Act.

2. The Central Government hereby also directs that, during the period of moratorium granted to it, the Habib Bank Limited, Bombay, shall not, without the permission in writing of the Reserve Bank of India,

(a) grant any loan or advance, incur any liability, make any investment or agree to or disburse any payment, whether in discharge of its liabilities and obligations or otherwise, or enter into any compromise or arrangement, except to the extent and in the manner provided hereunder:—

- (i) the amounts of any drafts or pay orders issued by the said bank and remaining unpaid on the date of which the order of moratorium comes into force;
- (ii) the amounts of the bills received for collection on or before the 8th September 1965 and realised before, on or after that date;
- (iii) any expenditure which has necessarily to be incurred in connection with any suits or appeals filed by or against decrees obtained by the said bank or for realising any amounts due to it, provided that if the expenditure in respect of each such suit or appeal or decree or proceeding is in excess of Rs. 250/- the permission in writing of the Reserve Bank of India shall be obtained before it is incurred; and
- (iv) any expenditure or any other item in so far as it is in the opinion of the banking company necessary for carrying on the day-to-day administration of the banking company, provided that where the total expenditure on any item in any calendar month exceeds the average monthly expenditure on account of that item during the six calendar months proceeding the order of moratorium, or if no expenditure has been incurred on account of that item in the past exceeds a sum of Rs. 250/-, the permission in writing of the Reserve Bank of India shall be obtained before the additional expenditure is incurred;

(b) sell, transfer or otherwise dispose of any of its immovable properties except in pursuance of any agreement entered into by it prior to the 7th September, 1965.

3. The Central Government hereby also directs that the Habib Bank Limited, Bombay may, during the period of the moratorium granted to it, make the following further payments, namely, the amounts necessary for repaying loans or advances granted against Government securities or other securities to the Habib Bank Ltd., Bombay by the Reserve Bank of India or the State Bank of India or any of its subsidiaries or by any other bank and remaining unpaid on the date on which the order of moratorium comes into force.

4. The Central Government hereby further directs that during the period of moratorium the Habib Bank Ltd., Bombay shall be permitted to operate its accounts with the Reserve Bank of India or with any other bank for the purposes of making the payments aforesaid, provided that nothing in this order shall be deemed to require the Reserve Bank of India or any other bank aforesaid to satisfy itself that the conditions imposed by this order are being observed before any amounts are released in favour of the Habib Bank Ltd., Bombay.

5. The Central Government hereby further directs that the Habib Bank Ltd., Bombay may, during the period of moratorium, return any bills which have remained unrealised to the persons entitled to receive them on a request being made

in this behalf by such persons, if the bank has no right or title to, or interest in, such bills.

6. The Central Government hereby also directs that the Habib Bank Ltd., Bombay may release or deliver goods or securities which may be pledged, hypothecated or mortgaged or otherwise charged to it against any loan, cash credit or overdraft Habib Bank Ltd., Bombay.

- (i) in any case in which full payment towards all the amounts due from the borrower or borrowers, as the case may be, has been received by the bank, unconditionally; and
- (ii) in any other case, to such an extent as may be necessary or possible, without reducing the proportions of the margins on the said goods or securities below the stipulated proportions or the proportions which were maintained before the order of moratorium come into force, whichever may be higher.

[No. F. 17(19)-BC/65.]

**S.O. 2854.**—In exercise of the powers conferred by sub-section (2) of section 45 of the Banking Companies Act, 1949, the Central Government, after considering an application made by the Reserve Bank of India under sub-section (1) of that section, hereby makes an order of moratorium in respect of the National Bank of Pakistan, Calcutta, for the period from the close of business on the 7th September 1965 up to and inclusive of the 6th January 1966 and hereby stays the commencement or continuance of all actions and proceedings against that banking company during the period of moratorium subject to the condition that such stay shall not in any manner prejudice the exercise by the Central Government of its powers under clause (b) of sub-section (4) of section 35 of the said Act or the exercise by the Reserve Bank of India of its powers under section 38 of the said Act.

2. The Central Government hereby also directs that, during the period of moratorium granted to it, the National Bank of Pakistan shall not, without the permission in writing of the Reserve Bank of India,

(a) grant any loan or advance, incur any liability, make any investment or agree to or disburse any payment, whether in discharge of its liabilities and obligations or otherwise, or enter into any compromise or arrangement, except to the extent and in the manner provided hereunder:—

- (i) the amounts of any drafts or pay orders issued by the said bank and remaining unpaid on the date of which the order of moratorium comes into force;
- (ii) the amounts of the bills received for collection on or before the 8th September 1965 and realised before, on or after that date;
- (iii) any expenditure which has necessarily to be incurred in connection with any suits or appeals filed by or against decrees obtained by the said bank or for realising any amounts due to it, provided that if the expenditure in respect of each such suit or appeal or decree or proceeding is in excess of Rs. 250/- the permission in writing of the Reserve Bank of India shall be obtained before it is incurred; and
- (iv) any expenditure or any other item in so far as it is in the opinion of the banking company necessary for carrying on the day-to-day administration of the banking company, provided that where the total expenditure on any item in any calendar month exceeds the average monthly expenditure on account of that item during the six calendar months proceeding the order of moratorium, or if no expenditure has been incurred on account of that item in the past exceeds a sum of Rs. 250/-, the permission in writing of the Reserve Bank of India shall be obtained before the additional expenditure is incurred;

(b) sell, transfer or otherwise dispose of any of its immovable properties except in pursuance of any agreement entered into by it prior to the 7th September, 1965.

3. The Central Government hereby also directs that the National Bank of Pakistan may during the period of the moratorium granted to it, make the following further payments, namely, the amounts necessary for repaying loans or advances granted against Government securities or other securities to the National Bank of Pakistan, Calcutta, by the Reserve Bank of India or the State Bank of India or any of its subsidiaries or by any other bank and remaining unpaid on the date on which the order of moratorium comes into force.

4. The Central Government hereby further directs that during the period of moratorium, the National Bank of Pakistan, shall be permitted to operate its accounts with the Reserve Bank of India or with any other bank for the purposes of making the payments aforesaid, provided that nothing in this order shall be deemed to require the Reserve Bank of India or any other bank aforesaid to satisfy itself that the conditions imposed by this order are being observed before any amounts are released in favour of the National Bank of Pakistan, Calcutta.

5. The Central Government hereby further directs that the National Bank of Pakistan may, during the period of moratorium, return any bills which have remained unrealised to the persons entitled to receive them on a request being made in this behalf by such persons, if the bank has no right or title to, or interest in, such bills.

6. The Central Government hereby also directs that the National Bank of Pakistan may, during the period of moratorium, return any bills which have pledged, hypothecated or mortgaged or otherwise charged to it against any loan, cash credit or overdraft:

- (i) in any case in which full payment towards all the amounts due from the borrower or borrowers, as the case may be, has been received by the bank, unconditionally; and
- (ii) in any other case, to such an extent as may be necessary or possible, without reducing the proportions of the margins on the said goods or securities below the stipulated proportions or the proportions which were maintained before the order of moratorium come into force, whichever may be higher.

[No. F.17(19)-BC/65(i).]

R. K. SESHADRI,  
Director (Banking).

